2025 HOUSE JUDICIARY

HB 1099

2025 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

HB 1099
1/13/2025

> A BILL for an Act to amend and reenact section 16.1-06-07.1 of the North Dakota Century Code, relating to the printing of presidential candidate names on a general election ballot.

11:05 Representative Vetter opened the hearing.

Members Present: Vice-Chairman Karls, Vice-Chairman Vetter, Representatives Christianson, Henderson, Hoverson, Johnston, McLeod, Tveit, VanWinkle, Wolff, Schneider

Members Absent: Chairman Klemin, Representatives Olson and Satrom

Discussion Topics:
- Nicknames on ballots
- Shortened names on ballots

11:05 a.m. Representative Liz Conmy, North Dakota Representative for District 11 Fargo, testified in favor and provided testimony #28756.

11:09 a.m. Sandy McMerty, Deputy Secretary of State, testified in favor and provided verbal testimony.

Additional written testimony:
Amy Phillips, Fargo resident, submitted testimony in favor #28546

11:15 a.m. Representative Vetter closed the hearing.

Wyatt Armstrong, Committee Clerk

Testimony on HB 1099
January 13, 2025
Submitted by Amy Phillips (Fargo resident)

Chairman Klemin and Members of the House Judiciary Committee:

I am submitting this testimony in support of HB 1099.

I have worked as a primary, special, and general election judge in Fargo for the past three years. In the recent November 2024 General Election, I served as an election judge at the Cass County Courthouse in Fargo for the entire early-voting and election-day period. For the first time as a poll worker, I had to assist individual voters who had trouble finding a candidate's name on the ballot. In all cases, it had to do with a presidential candidate. One of these voters was an elderly gentleman who asked me to assist him and said to me several times "I can't find her name." I asked him a few questions until it was clear he was trying to find Kamala Harris' name. He knew her by "Kamala," not Harris. Two other voters who appeared to be new citizens also had difficulty finding "Kamala's" name on the ballot (they knew her first name but not her last). While three voters are a small sample size, it made me wonder how many other voters, at the courthouse or elsewhere, were confused by the "Harris" name on the ballot.

When a presidential candidate is well known by a last name, such as "Trump," but another presidential candidate is well known by a first name, such as "Kamala," the current North Dakota law requiring only the presidential candidate's surname obviously privileges the candidate with the well-known last name. The current law could also be confusing if two or more presidential candidates had the same last name. Ensuring that the ballot offers all candidates' first and last names will eliminate voter confusion and inadvertent state privileging of candidates.

I want to thank Representative Conmy for sponsoring this bill, and I thank the Judiciary Committee for its attention to my testimony. **I urge the Committee to give HB 1099 a Do Pass recommendation.**

North Dakota
House of Representatives

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360

Legislative Assembly

Representative Liz Conmy
District 11
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COMMITTEES:
Education
Energy and Natural Resources

January 13, 2025

Chair Klemin, Vice Chair Karls, Vice Chair Vetter, and members of the Judiciary committee,

For the record, I am Representative Liz Conmy, from District 11 in Fargo.

I'm here to present House Bill 1099, which is a bill relating to the printing of presidential candidate names on the general election ballot.

Let me explain how this came up. In the past election, only the surnames of the presidential candidates were on the ballot: Oliver, Harris, and Trump. The first names were omitted, because currently, in section two of 16.1-06-07.1., the statute states that the surname of the presidential candidate must be placed in line with an oval. The Secretary of State followed what was written, and only the surnames were on the ballot. For every other office, both first and last names were included. Several election judges told me after the election that some voters were confused, because they were looking for the first names, particularly Kamala and Donald. When I spoke to Secretary of State Michael Howe, he stated that although we could probably add the full name, we should probably do it by changing the statute to specify simply, name, which could then include a candidates full name.

First and last names should be required on the ballot in order to avoid confusion. And, it is in the voter's best interest that the presidential candidates be represented by their full name on the ballot.

This would apply both to electronic and paper ballots.

This change is supported by the North Dakota Secretary of State's office and election judges around the state.

That concludes my remarks and I welcome any questions you may have.

Respectfully,
Rep. Liz Conmy

Judiciary Committee
Room JW327B, State Capitol

HB 1099
1/14/2025

> A BILL for an Act to amend and reenact section 16.1-06-07.1 of the North Dakota Century Code, relating to the printing of presidential candidate names on a general election ballot.

9:19 a.m. Chairman Klemin opened hearing.

Members Present: Chairman Klemin, Vice-Chairman Karls, Vice-Chairman Vetter, Representatives Christianson, Henderson, Hoverson, Johnston, McLeod, Satrom, Tveit, VanWinkle, Wolff, Schneider

Members Absent: Representative Olson

Discussion Topics:
- Alterations to names on ballots
- Use of nicknames on ballots

9:25 a.m. Representative Wolff moved to adopt the Amendment prepared by Representative Vetter replacing "first and last name" with "name" on lines 14, 15, and 18.

9:25 a.m. Representative Schneider seconded the motion.

Representatives	Vote
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y
Representative Steve Vetter	Y
Representative Nels Christianson	Y
Representative Donna Henderson	Y
Representative Jeff Hoverson	Y
Representative Daniel Johnston	Y
Representative Carrie McLeod	Y
Representative SuAnn Olson	AB
Representative Bernie Satrom	Y
Representative Mary Schneider	Y
Representative Bill Tveit	Y
Representative Lori VanWinkle	Y
Representative Christina Wolff	Y

9:28 a.m. Motion passed 13-0-1.

9:28 a.m. Representative Vetter moved a Do Pass as Amended.

9:28 a.m. Representative VanWinkle seconded the motion.

Representatives	Vote
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y
Representative Steve Vetter	Y
Representative Nels Christianson	Y
Representative Donna Henderson	Y
Representative Jeff Hoverson	Y
Representative Daniel Johnston	Y
Representative Carrie McLeod	Y
Representative SuAnn Olson	AB
Representative Bernie Satrom	Y
Representative Mary Schneider	Y
Representative Bill Tveit	Y
Representative Lori VanWinkle	Y
Representative Christina Wolff	Y

9:29 a.m. Motion passed 13-0-1.

Representative Wolff will carry the bill.

9:29 a.m. Chairman Klemin closed the hearing.

Wyatt Armstrong, Committee Clerk

25.0510.01001
Title.02000

Prepared by the Legislative Council
staff for Representative Conmy
January 9, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1099

Introduced by

Representative Conmy

1 A BILL for an Act to amend and reenact section 16.1-06-07.1 of the North Dakota Century

2 Code, relating to the printing of presidential candidate names on a general election ballot.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4   **SECTION 1. AMENDMENT.** Section 16.1-06-07.1 of the North Dakota Century Code is

5 amended and reenacted as follows:

6   **16.1-06-07.1. Arrangement of names on ballot - Presidential electors.**

7   <u>1.</u>   In presidential election years the ballot provided for in section 16.1-06-05 must include

8   the designation of the office of president and vice president as the first listing of the

9   continuous listing of the designation of each office to be voted for. The names of

10   presidential electors, presented in one certificate of nomination, must be arranged in a

11   group enclosed in brackets under the designation of the office of president and vice

12   president on the right side of the ballot column.

13   <u>2.</u>   To the left and opposite the center of each group of electors' names must be printed in

14   bold type the ~~surname~~<u>first and last </u>name of the presidential candidate represented

15   and in line with ~~such surname~~<u>the candidate's</u> ~~first and last~~ name must be placed a

16   single oval. A mark within ~~such~~<u>an</u> oval by the voter must be designated as a vote for

17   all the electors. The appropriate party designation must appear, in smaller type, under

18   the ~~surname~~<u>first and last </u>name of the presidential candidate represented.

REPORT OF STANDING COMMITTEE
HB 1099

Judiciary Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS (25.0510.01001)** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1099 was placed on the Sixth order on the calendar.

2025 SENATE STATE AND LOCAL GOVERNMENT

HB 1099

2025 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee
Room JW216, State Capitol

HB 1099
3/21/2025

Relating to the printing of presidential candidate names on a general election ballot.

10:30 a.m. Chair Roers called the hearing to order.

Members Present: Chairman Roers; Vice Chair Castaneda; Senators: Barta, Braunberger, Lee and Walen.

Discussion Topics:
- Candidates full name
- Paper ballot only

10:30 a.m. Representative Conmy, District #11, introduced the bill and submitted testimony #43432.

10:34 a.m. Michael Howe, ND Secretary of State, testified neutral.

10:35 a.m. Senator Walen moved Do Pass.

10:35 a.m. Senator Lee seconded the motion.

Senators	Vote
Senator Kristin Roers	Y
Senator Jose L. Castaneda	Y
Senator Jeff Barta	Y
Senator Ryan Braunberger	AB
Senator Judy Lee	Y
Senator Chuck Walen	Y

Motion Passed 5-0-1

Senator Castaneda will carry the bill.

10:36 a.m. Chair Roers closed the hearing.

Susan Helbling, Committee Clerk

REPORT OF STANDING COMMITTEE
ENGROSSED HB 1099 (25.0510.02000)

State and Local Government Committee (Sen. Roers, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT OR EXCUSED AND NOT VOTING). HB 1099 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

#43432

North Dakota
House of Representatives

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COMMITTEES:
Education
Energy and Natural Resources

March 21, 2025

Chair Roers, Vice Chair Castaneda, and members of the
Senate Standing Committee on State and Local Government

For the record, I am Representative Liz Conmy, from District 11 in Fargo.

I'm here to present House Bill 1099, which is a bill relating to the printing of presidential candidate names on the general election ballot.

Let me explain how this came up. In the past election, only the surnames of the presidential candidates were on the ballot: Oliver, Harris, and Trump. The first names were omitted, because currently, in section two of 16.1-06-07.1., the statute states that the <u>surname</u> of the presidential candidate must be placed in line with an oval.

The Secretary of State followed what was written, and only the surnames were on the ballot. For every other office, both first and last names were included. Several election judges told me after the election that some voters were confused, because they were looking for the first names, particularly Kamala and Donald. When I spoke to Secretary of State Michael Howe, he stated that although we could probably add the full name, we should probably do it by changing the statute to specify simply, "name," which could then include a candidate's full name.

Specifically, in Section 1, number 2, we replaced surname with "name" on lines 14, 15 and 18.

It is in the voter's best interest that the presidential candidates be represented by their full name on the ballot, and this bill allows for that.

This would apply both to electronic and paper ballots.

This change is supported by the North Dakota Secretary of State's office and election judges around the state.

That concludes my remarks, and I welcome any questions you may have.

Respectfully,
Rep. Liz Conmy