

**2025 HOUSE GOVERNMENT AND VETERANS AFFAIRS**

**HB 1287**

# 2025 HOUSE STANDING COMMITTEE MINUTES

## Government and Veterans Affairs Committee Pioneer Room, State Capitol

HB 1287  
1/23/2025

Relating to registration of voters.
-------------------------------------

10:11 a.m. Chairman Satrom opened the hearing.

Members present: Chairman Schauer, Vice Chairman Satrom, Representatives Bahl, Brown, Christy, Grindberg, Karls, McLeod, Rohr, Schneider, Steiner, VanWinkle, Vetter, Wolff

### **Discussion Topics:**

- Amendments to party affiliation.
- Duplication of systems
- Difficulties for voters

10:11 a.m. Representative Schatz, District 39, introduced the bill and submitted testimony, #31020.

10:20 a.m. Micheal Howe, ND Secretary of State, testified in opposition, and submitted testimony, #31024.

10:35 a.m. Sandi Fossum, County Auditor, testified in opposition.

10:37 a.m. Nicole Donaghy, Executive Director of the North Dakota Native Vote, testified in opposition.

10:42 a.m. Cody Schuler, ACLU North Dakota, testified in opposition.

10:47 a.m. Veronica Zietz testified on behalf of Brenda Ruehl, Director of Program Services, Protection and Advocacy, in opposition, and submitted testimony, #30836.

### **Additional written testimony:**

Amanda Schmitcke submitted testimony in opposition, #30752.

Tarryll Shomento submitted testimony in opposition, #30827.

10:49 a.m. Chairman Schauer closed the hearing.

*Jackson Toman, Committee Clerk*

I am in OPPOSITION to HB NO. 1287

This will create an unfair burden on many people in North Dakota who do not have the means or the ability to be able to register, or the support of another to be able to assist them with registering.

Additionally, who is going to collect this information? Where is this going to be stored? Who is going to have access to our personal information that is being collected?

Line 10. The Secretary of State shall adopt rules and prescribe the forms. This bill is not complete. You are asking for something to be put into Century Code that is open ended.

Line 11. Subject to the rules adopted by the Secretary of State- what rules, again these are unforeseen. And then it states that the registration is permanent. Even if you move? What if I move out of state? What are the rules for voter registration if I move, but I'm only gone for 8 months and then I come back to a ND residence and its between elections? Can I still vote? Permanent would mean that I am still registered.

Your bill is too vague, if you really want this to be bill, but again, I 100% disagree with voter registration.

I do not see a problem with our elections. We have not had trouble with our elections, 128and this is not going to make anything easier, it is only going to complicate the election process even more.

Committee chair and members of the committee, my name is Tarryll Shomento and I am here in opposition of House Bill 1287 which would implement voter registration in North Dakota.

I oppose this bill because this will increase barriers to voting in North Dakota. We already have strict voter ID rules.

I believe our current voting requirements are adequate, and we have had no indication of widespread voter fraud in our state. Our voter workers are always competent and make registering and voting efficient and painless. Initiating new restrictions and registration will increase costs to the state and much less voter turnout.

I urge you to give this bill a NO pass recommendation. Thank you for the opportunity to share my testimony.

Tarryll Shomento, 1301 28 Street NW, Minot ND 58703



# Protection & Advocacy Project

400 E. Broadway, Suite 409

Bismarck, ND 58501

701-328-2950

1-800-472-2670

TTY: 711

[www.ndpanda.org](http://www.ndpanda.org)



House Government and Veterans Affairs Committee

House Bill 1287 - January 23, 2025

Brenda Ruehl, P&A Director Program Services

Greetings Chairman Schauer and members of the House Government and Veterans Affairs Committee. My name is Brenda Ruehl and I am a Program Services Director at the North Dakota Protection and Advocacy Project (P&A). P&A is an independent state agency established in 1977 to assert and advance the human, civil, and legal rights of people with disabilities. The agency's programs and services seek to make positive changes for people with disabilities where we live, learn, work and play.

P&A opposes HB 1287, which seeks to require North Dakota citizens to register to be entitled to vote in any statewide special, primary or general election.

Free and fair elections rely on every voter having the ability to make their voice heard. Unfortunately, voters with disabilities are often met with a range of disproportionately burdensome barriers to voting. People affected by poor health or disabilities are less likely to cast a ballot than the general population, and as a result, have less sway over who gets to be in power and what policies are made. One in 5 voters with disabilities either needed assistance or had difficulty voting in 2022, three times the rate of people without disabilities, according to the most recent survey from the U.S. Election Assistance Committee (EAC). Requiring people to register to vote will add an additional barrier to people with disabilities in exercising their right and desire to vote.

Poverty and disability go hand in hand. The poverty rate for working-age people with disabilities is nearly two and a half times higher than that for people without disabilities. This results in people with disabilities experiencing homelessness, home insecurity and instability. People with disabilities often move frequently, rely on temporary shelters, and are disproportionately homeless. This can make it difficult to have a permanent address to register to vote and their address could change multiple times prior to an election.

Access to transportation is a challenge to both voting and registering to vote. Poverty impacts the ability to afford public transportation or other local transportation. Much of North Dakota is rural and has no public transit system, taxis, Uber, or other paid transportation options even for those who are not living in poverty. Due to the location of county auditor and DMV offices people with disabilities have barriers

in getting to those offices to obtain and return voter registration forms.

Living in a long-term care facilities can intensify the need for assistance with voting. Residents in many long-term care institutions can lack direct access to a mailbox, relying upon staff to send and deliver mail. The result is they need assistance to obtain, complete, and return voter registration forms. This can add more work on an already overloaded and understaffed industry resulting in barriers for residents registering to vote.

HB 1287 sets forth that people can register to vote when applying for or receiving public assistance. Will the workers in the public assistance office be trained on disability inclusion? Will they be provided training on how to communicate with and relate to people with disabilities? Will such training include communicating with people who are deaf, hard of hearing, blind or have speech and language disabilities? Will fluent sign language interpreters be readily available when needed? The application for and ongoing receipt of public assistance is not on a local level; there is no office one can visit, applicants and recipients are no longer assigned a county worker that can get to know them and assist in voter registration. How would it be possible for a person with a disability that requires assistance to register to vote at the county public assistance office? This creates another new barrier for people with disabilities to vote. County public assistance offices are already understaffed and overworked and registering people to vote would add to their responsibilities to serve individuals needing or receiving public assistance.

The voting requirements included in existing ND Century Code are the same as the registration requirements in HB 1287, making this bill duplicative and unnecessary.

#### **NDCC 16.1-01-04. Qualifications of electors - Voting requirements.**

1. To qualify as an elector of this state, an individual must be:
  - a. A citizen of the United States;
  - b. Eighteen years or older; and
  - c. A resident of this state who has resided in the precinct at least thirty days immediately preceding any election.

#### **NDCC 16.1-01-04.1. Identification verifying eligibility as an elector.**

1. A qualified elector shall provide a valid form of identification to the proper election official before receiving a ballot for voting.
2. The identification must provide the following information regarding the elector:
  - a. Legal name;
  - b. Current residential street address in North Dakota; and
  - c. Date of birth.
3. a. A valid form of identification is:
  - (1) A driver's license or nondriver's identification card issued by the North Dakota department of transportation; or
  - (2) An official form of identification issued by a tribal government to a tribal member

residing in this state.

The proof of identification to verify eligibility to vote are the same for registering to vote with the notable absence of an official form of identification issued by a tribal government to a tribal member residing in this state. Such absence of tribal identification form adds an additional barrier to voting for tribal members with disabilities.

On October 22, 2024, at the North Dakota Association of Counties annual meeting in Bismarck, Secretary of State, Michael Howe, emphasized how the state's elections are accurate and secure. On January 13, 2025, Secretary Howe also testified before the House Appropriations - Education and Environment Division sharing that "North Dakota has been dealing with election integrity since "before it was cool," well before the 2020 election.

Requiring registration to vote puts up yet another barrier for people with disabilities to exercise their vote and have their voice heard. Given that North Dakota elections are accurate, safe and secure, there is no need to change the system. Why create the additional costs and work to fix a system that is not broken?

P&A respectfully requests that you do not pass this bill.

Thank you for your time and consideration.

Brenda Ruehl  
Director Program Services  
bruehl@nd.gov

25.0427.01001  
Title.

Prepared by the Legislative Council  
staff for Representative Schatz  
January 14, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO

### HOUSE BILL NO. 1287

Introduced by

Representatives Schatz, Kasper, Rios, VanWinkle, Vetter

Senator Paulson

- 1 A BILL for an Act to create and enact a new section to chapter 16.1-02 of the North Dakota  
2 Century Code, relating to registration of voters.

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

- 4 **SECTION 1.** A new section to chapter 16.1-02 of the North Dakota Century Code is created  
5 and enacted as follows:

6 **Registration of electors - Secretary of state to adopt rules.**

- 7 1. A qualified elector shall register in the election precinct in which the elector resides to  
8 be entitled to vote at any statewide special, primary, or general election.  
9 2. A qualified elector may register by mail by submitting a completed registration form to  
10 the county auditor at any time except during the thirty days before any statewide  
11 special, primary, or general election.  
12 3. Except during the thirty days before a statewide election, a qualified elector may  
13 register to vote when:  
14 a. Applying for or renewing a driver's license or nondriver's identification card;  
15 b. Providing a notice of change of name or address on a driver's license or  
16 nondriver's identification card; or  
17 c. Applying for or receiving public assistance.  
18 4. A qualified elector may register in person at the office of the county auditor by  
19 completing a registration form at any time up to the day before a statewide special,  
20 primary, or general election. If a qualified elector applies to the county auditor for an  
21 absentee ballot or mail ballot, the elector may request a registration form and may



- 1           complete and submit the form with the ballot if the registration form is submitted by  
2           mail within thirty days of the election.
- 3        5. An individual may register to vote on the day of an election by completing the  
4           prescribed form and submitting the required information at the appropriate polling  
5           place.
- 6        6. Upon receipt of a registration form, properly filled out and signed by the applicant, the  
7           county auditor or authorized election officer shall register the individual as a qualified  
8           elector in the central voter file.
- 9        7. The secretary of state shall prescribe the forms to be used for registration of qualified  
10           electors which must include the qualified elector's name, address, date of birth, last  
11           place of registration, and any other information the secretary of state determines to be  
12           necessary to assure accurate and reliable qualified elector registration.
- 13        8. The director of the department of transportation shall cooperate with the secretary of  
14           state to develop voter registration forms to be used with a driver's license or  
15           nondriver's identification card application and renewal and a change of name and  
16           address request.
- 17        9. A designation of political party affiliation ~~may not~~ must be noted ~~or~~ and indicated on the  
18           registration form.
- 19        10. The secretary of state shall adopt rules and prescribe the forms to be used for transfer  
20           of electors within the central voter file and the deletion of electors from the central  
21           voter file.
- 22        11. Subject to rules adopted by the secretary of state, the registration of a qualified elector  
23           is permanent.

**HOUSE GOVERNMENT AND VETERANS AFFAIRS COMMITTEE**  
**REPRESENTATIVE AUSTEN SCHAUER, CHAIR****TESTIMONY PRESENTED BY****MICHAEL HOWE, NORTH DAKOTA SECRETARY OF STATE**

---

Chairman Schauer and members of the committee, I'm Michael Howe, North Dakota Secretary of State. I'm here in opposition to HB1287.

Members of the committee, let me start by saying North Dakota's unique status as the only state without voter registration by no means is an indication that our elections are flawed, less secure, or lack integrity compared to the other 49 states. In fact, nothing could be further from the truth.

Mr. Chairman, HB 1287 is duplicative of the information already gained through North Dakota's robust voter ID laws. I believe this bill would only serve to create voter confusion, and while our office is not requesting a fiscal note at this time, if this bill were to proceed it would need \$500,000, at a minimum, to support a statewide voter awareness and education campaign to make citizens aware of these changes in their voting requirements. Our robust voter ID laws already collect information ensuring that only United States citizens are voting in North Dakota elections; that only North Dakota residents are voting in our elections; and, that those United States citizens, who are North Dakota residents, are at least 18 years of age or older when voting in our elections.

Let me take a moment to walk through the bill to explain how it duplicates practices already in place that work well for North Dakota. Currently, if you are a U.S. citizen, 18 years of age or older, and have lived in your precinct for 30 days prior to the election, you can go to your polling location on election day and cast your ballot with a current North Dakota driver's ID, North Dakota non-drivers ID, tribal ID, or a long-term care certificate. The same requirements apply to in person early voting, as well as absentee voting.

- Subsection 1 takes away a qualified elector's ability to vote under current law unless they register with their local county auditor.
- Subsection 2 says the voter must register at least 30 days prior to election day to be able to vote.
- Subsection 5 says a voter may register on the day of election, by completing an additional form (outlined in section 7) at a polling place.

Subsection 7 requires my office to create voter registration forms to collect a qualified elector's name, address, date of birth, and last place of registration.

Subsection 3 establishes that a voter may register to vote by a) apply for or renewing a North Dakota driver's license or nondriver's identification card, or b) providing a notice of name or address change to their North Dakota issued ID. This is a duplication of efforts as it is already the current practice under North Dakota's robust voter ID laws. The North Dakota Department of Transportation (NDDOT) is already working cooperatively with our office under the voter ID law requirements and voter qualifications are already validated under this process. Registration adds an unneeded step for voters.

The bill also says in subsection 9 that registration is permanent, likely to remove the requirement of registering for each election, however if an individual moves, they may no longer be registered in the precinct in which they vote which would be in direct conflict with subsection 1.

The third registration point under subsection 3 is the ability to register when applying for or receiving public assistance. If this bill were to move forward, this section would need extensive revision to include the vast number of agencies and resources impacted under the "public assistance" umbrella under federal election requirements. This would include the training of staff across multiple state agencies and creation of a protected, streamlined process for collection of such vote data for transmission to our office. Mr. Chairman, it is my opinion that making more agencies involved in the election and ID process may compromise the integrity of our very strong election system.

Many times, when voter registration is mentioned, it is due to the desire of collecting political affiliation information for voters. This bill strictly prohibits the collection of such information in subsection 9.

This bill also does not take into consideration the:

- Consent decree with tribal nations related to litigation that occurred in *Brakebill v. Jaeger*, under which the state accepts tribal identification cards or tribal letters as a form of qualifying ID.
- Use of a long-term care certificate for individuals who may not longer have a valid North Dakota issued ID upon entry into a long-term care facility.
- Set-aside ballot processes, as those who fail to register and don't have proper identification would need to be included in this process.

This bill is simply not good legislation. It provides no added value to election processes or security and creates an additional chore for voters. HB 1287 forces state agencies to gather the same information already gained through North Dakota's voter ID processes, which is the type of duplication in government that frustrates the taxpayer.

I strongly encourage a **DO NOT PASS** recommendation on HB 1287. Our voter ID laws already provide greater verification to ensure only qualified North Dakotans are participating in our elections.

---

#### **HISTORICAL VOTER REGISTRATION INFORMATION**

- North Dakota enacted voter registration in 1895 – but only voters in organized villages or cities with a population of 1,500 or greater were required to register. Interestingly, registration was not required for Primary elections, only the General.
- In 1951 Senate Bill 61 was introduced to repeal voter registration. It passed the North Dakota Senate and State House and on February 28, 1951. Governor Norman Brunsdale signed it into law, and that's how we've been ever since.
- Governor Art Link vetoed a voter registration bill in 1975.

# 2025 HOUSE STANDING COMMITTEE MINUTES

## Government and Veterans Affairs Committee Pioneer Room, State Capitol

HB 1287  
2/13/2025

Relating to registration of voters.
-------------------------------------

2:47 p.m. Vice Chairman Satrom opened the meeting.

Members present: Chairman Schauer, Vice Chairman Satrom, Representatives Grindberg, Karls, Rohr, Schneider, Steiner, VanWinkle, Vetter, Wolff

Members absent: Representatives Bahl, Brown, Christy, McLeod

### Discussion Topics:

- Committee action

2:50 p.m. Representative Rohr moved a Do Not Pass.

2:50 p.m. Representative Grindberg seconded the motion.

Representatives	Vote
Representative Austen Schauer	Y
Representative Bernie Satrom	Y
Representative Landon Bahl	AB
Representative Collette Brown	AB
Representative Josh Christy	AB
Representative Karen Grindberg	Y
Representative Karen Karls	Y
Representative Carrie McLeod	AB
Representative Karen Rohr	Y
Representative Mary Schneider	Y
Representative Vicky Steiner	Y
Representative Lori VanWinkle	N
Representative Steve Vetter	N
Representative Christina Wolff	N

2:52 p.m. Motion passed 7-3-4.

Representative Steiner will carry the bill.

2:53 p.m. Chairman Schauer closed the meeting.

*Jackson Toman, Committee Clerk*

**REPORT OF STANDING COMMITTEE**  
**HB 1287 ([25.0427.01000](#))**

**Government and Veterans Affairs Committee (Rep. Schauer, Chairman)** recommends **DO NOT PASS** (7 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING). HB 1287 was placed on the Eleventh order on the calendar.