

**Fifty-sixth Legislative Assembly, State of North Dakota, begun in the
Capitol in the City of Bismarck, on Tuesday, the fifth day of January,
one thousand nine hundred and ninety-nine**

HOUSE BILL NO. 1127
(Judiciary Committee)
(At the request of the Secretary of State)

AN ACT to amend and reenact section 16.1-07-12.1 of the North Dakota Century Code, relating to absentee ballot precincts.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 16.1-07-12.1 of the North Dakota Century Code is amended and reenacted as follows:

16.1-07-12.1. Absentee ballot precinct - Election board appointment - Ballot counting.

1. For any primary, general, or special statewide ~~or legislative~~, district, or county election, the board of county commissioners may create a special precinct, known as an absentee ballot precinct, ~~for each legislative district in the county~~ for the purpose of counting all absentee ballots cast in an election in that ~~district county~~. ~~Each absentee ballot precinct is a separate precinct for the purpose of ballot arrangement rotation.~~ The election board of the absentee ballot precinct must be known as the absentee ballot counting board. The county auditor shall supply the board with all necessary election supplies as provided in chapter 16.1-06.
2. ~~The governing body of the city shall appoint the election inspector in a district contained entirely within an incorporated city. The county auditor, with the approval of the board of county commissioners, shall appoint all other inspectors. Each district party chairman of the two parties which cast the largest and the next largest number of votes at the last general election shall appoint one election judge for each district. If the board of county commissioners chooses to establish an absentee ballot precinct according to this section, the following provisions apply:~~
 - a. The county auditor shall appoint the absentee ballot counting board that consists of one independent representative to act as the inspector and an equal number of representatives from each political party represented on an election board in the county, as set forth in section 16.1-05-01, to act as judges. Each official of the board shall take the oath required by section 16.1-05-02 and must be compensated as provided in section 16.1-05-05.
 - ~~3.~~ b. The county auditor shall have the absentee ballots delivered to the inspector of the absentee ballot counting board with the election supplies, or if received later, then prior to the closing of the polls.
 4. ~~c.~~ The On the day of the election, the absentee ballot counting board shall occupy a ~~room~~ location designated by the county auditor which must be open to any person for the purpose of observing the counting process.
 5. d. The absentee ballots must be opened and handled as required in section 16.1-07-12. The absentee ballot counting board may commence counting the absentee ballots at the same time as any precinct within the county, city, or legislative district opens its polls. As soon as all the polls in the county, city, or legislative district close and the count is completed, the inspector shall announce publicly the results. The board shall comply with the requirements of sections 16.1-15-04 through 16.1-15-12, as applicable.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-sixth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1127.

House Vote: Yeas 93 Nays 2 Absent 3

Senate Vote: Yeas 48 Nays 0 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 1999.

Approved at _____ M. on _____, 1999.

Governor

Filed in this office this _____ day of _____, 1999,

at _____ o'clock _____ M.

Secretary of State