

HOUSE BILL NO. 1373

Introduced by

Representatives Skarphol, Grande, Wald

Senators Lyson, Stenehjem

1 A BILL for an Act to amend and reenact sections 16.1-15-06, 27-09.1-03, and 27-09.1-05 of the
2 North Dakota Century Code, relating to jury selection and voter lists.

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

4 **SECTION 1. AMENDMENT.** Section 16.1-15-06 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **16.1-15-06. Reports and pollbooks sent to county auditor - Compensation for**
7 **making returns - County auditor to forward pollbook to clerk of United States district**
8 **court and to the clerk of the North Dakota district court.** By twelve noon of the day
9 following an election except in cases of emergency or inclement weather, the inspector of
10 elections, or one of the judges appointed by the inspector of elections, personally shall deliver
11 the duplicate reports provided for in section 16.1-15-04 to the county auditor. The reports,
12 carefully sealed under cover, accompanied by both of the pollbooks provided for in section
13 16.1-06-21, and the wrapped and sealed stamp and inkpad, with the oaths of the inspector and
14 poll clerks affixed thereto, must be delivered properly to the county auditor. The person making
15 the return ~~shall~~ is entitled to receive compensation therefor in accordance with section
16 16.1-05-05. However, no compensation and no mileage may be paid if delivery of the ballots is
17 not made by twelve noon on the day following the election. The compensation and mileage
18 must be paid out of the county treasury on a warrant of the county auditor and is full
19 compensation for returning all used or voided ballots and for delivering the ballot boxes to the
20 proper official. Within thirty days after receipt thereof following each presidential election, each
21 county auditor shall forward one of the pollbooks to the clerk of the United States district court
22 for the district encompassing that county for the clerk's official use. The county auditor shall
23 request return of the pollbook thirty days after receipt thereof by the clerk of the United States

1 district court. ~~The county auditor shall provide the clerk of the North Dakota district court of said~~
2 ~~county with a pollbook to be used by the clerk for jury selection.~~

3 **SECTION 2. AMENDMENT.** Section 27-09.1-03 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **27-09.1-03. Definitions.** As used in this chapter, unless the context otherwise
6 requires:

- 7 1. "Court" means the district court of this state, and includes, when the context
8 requires, any judge of the court.
- 9 2. "Clerk" and "clerk of court" include any deputy clerk.
- 10 3. "Master list" means the list of ~~actual voters for the county which shall be~~
11 ~~supplemented with~~ names from other sources prescribed pursuant to this chapter (~~(~~
12 ~~in section 27-09.1-05) in order to foster the policy and protect the rights secured by~~
13 ~~this chapter (sections 27-09.1-01 and 27-09.1-02).~~
- 14 4. ~~"Lists of actual voters" means the official records of persons actually voting in the~~
15 ~~most recent general election.~~

16 **SECTION 3. AMENDMENT.** Section 27-09.1-05 of the North Dakota Century Code is
17 amended and reenacted as follows:

18 **27-09.1-05. Master list.**

- 19 1. The clerk for each county shall compile and maintain a master list consisting of ~~all~~
20 ~~lists of actual voters for the county supplemented with~~ names from other lists of
21 persons ~~resident therein, such as~~ residing within the county, including lists of utility
22 customers, property taxpayers, motor vehicle registrations, ~~and driver's operators'~~
23 licenses, and from any other source which the supreme court ~~of this state~~ from
24 time to time designates. In compiling the master list the clerk shall avoid
25 duplication of names.
- 26 2. Whoever has custody, possession, or control of any of the lists making up or used
27 in compiling the master list, ~~including those designated under subsection 1 by the~~
28 ~~supreme court as supplementary sources of names,~~ shall make the list available to
29 the clerk for inspection, reproduction, and copying at all reasonable times.
- 30 3. The master list ~~shall be~~ is open to the public for examination.