

1999 SENATE GOVERNMENT AND VETERANS AFFAIRS

SCR 4043

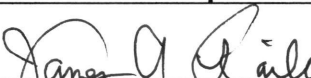
1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SCR 4043

Senate Government and Veterans Affairs Committee

Conference Committee

Hearing Date February 25, 1999

Tape Number	Side A	Side B	Meter #
1	X		0-1605
Committee Clerk Signature 			

Minutes: CHAIRMAN KREBSBACH called the committee to order. The clerk was instructed to call the roll. CHAIRMAN KREBSBACH opened the hearing on SCR 4043 a resolution directing the legislative council to study voter registration. Appearing before the committee to explain the bill was SENATOR DARLENE WATNE, district 5, Minot, a primary sponsor of the proposed legislation. A copy of her written testimony is attached. SENATOR DEMERS indicated to SENATOR WATNE that in her comments she noted that she had talked about several areas of possible voter fraud. SENATOR DEMERS indicated that this surprised her somewhat. She has been aware where there have been errors where people have mistakenly voted in the wrong area. To her fraud indicates deliberate attempts to be dishonest. SENATOR WATNE indicated that this was from some of the testimony that went before the political subdivisions committee when this bill was introduced. There was testimony presented on this and although no specific examples were sited some generalities were given. There were no other

questions. Also appearing before the committee to testify in support of this resolution was AL JAEGER, Secretary of State for the state of North Dakota. A copy of his prepared testimony is attached. SENATOR MUTZENBERGER asked Mr. Jaeger if he as Secretary of State was aware of any instances of voter fraud? MR. JAEGER indicated that when he testified before the political subs committee that we (meaning his office) hear all the time of it. Mr. Jaeger indicated he has been a lifetime resident of North Dakota and he knows he was chided by one of the representatives, but to the best of his recollection he doesn't recall anyone being prosecuted. Now I'm not saying that there hasn't been something. All I'm saying is that there isn't anything that has been referred to a state's attorney, where a state's attorney has taken it and has prosecuted someone. Now maybe it's happened somewhere, but he doesn't personally recall any. Every election we hear something about this. SENATOR THANE indicated that he believes voter registration needs to become a reality in the not too distant future. SENATOR DEMERS asked why 5 states are exempted from NVRA. COREY FONG, elections director for the Secretary of State's office indicated that these states had same day registration in place at the time that NVRA was being put into play. As such NVRA would not apply to those states. There were no further questions at this time. No further testimony was offered in support of SCR 4043. No one appeared in neutral position or opposition to SCR 4043. The hearing was closed on SCR 4043. Committee Action: A motion for DO PASS was made by SENATOR STENEHJEM, seconded by SENATOR THANE. ROLL CALL VOTE indicated 7 YEAS, 0 NAYS, 0 ABSENT OR NOT VOTING. SCR 4043 was placed on the consent calendar. SENATOR W. STENEHJEM volunteered to carry the bill.

Date: 2/25/99
Roll Call Vote #:

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SCR 4043

Senate GOVERNMENT AND VETERAN'S AFFAIRS Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass - Consent Calendar

Motion Made By Sen. Stenehjem Seconded By Sen Thane

Senators	Yes	No	Senators	Yes	No
SENATOR KREBSBACH	✓				
SENATOR WARDNER	✓				
SENATOR KILZER	✓				
SENATOR STENEHJEM	✓				
SENATOR THANE	✓				
SENATOR DEMERS	✓				
SENATOR MUTZENBERGER	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Sen. W. Stenehjem

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
February 25, 1999 11:25 a.m.

Module No: SR-34-3535
Carrier: W. Stenehjem
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SCR 4043: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman)
recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (7 YEAS,
0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4043 was placed on the Tenth order
on the calendar.

1999 HOUSE GOVERNMENT AND VETERANS AFFAIRS

SCR 4043

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SCR 4043

House Government and Veterans Affairs Committee

Conference Committee

Hearing Date 3-11-1999

Tape Number	Side A	Side B	Meter #
2	X		30.2 - 58.9
Committee Clerk Signature <i>James McWilliam</i>			

Minutes: Some of the individuals testifying submit written testimony. When noted please refer to it for more detailed information.

Representative Klein, Chairman of the GVA Committee opened the hearing on March 11, 1999.

Summary of the Resolution: Directing the legislative council to study voter registration.

Testimony in Favor:

Senator Watne, Appeared before the committee to introduce the resolution and submitted written testimony which she read in it's entirety (**please refer to her testimony**). There were 112 people that I couldn't find in my district who had voted. These people were untraceable.

Representative Cleary, Do you think there is fraud involved?

Watne, I don't know that.

Cory Fong, Secretary of States Office submitted written testimony which he read in it's entirety (**please refer to his testimony**).

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House Government and Veterans Affairs Committee

Bill/Resolution Number SCR 4043

Hearing Date 3-11-1999

Representative Thoreson, Has anybody done any policing of the system the way we have done it now? Is there any indication of fraud or extent of it?

Fong, Willfully no, we don't think there is a lot of fraud.

Al Jaeger, Secretary of State supports the resolution to either confirm that we do need it or that we do not need it. This is more of a confirmation factor to settle what Cory and I already know.

Testimony in Opposition: None.

Representative Klein, Closed the hearing on SCR 4043.

Committee Action:

Representative Hawken, Made a motion for a Do Pass.

Representative Grande, Seconded the motion.

Motion Passes: Do Pass **15-0**.

Representative Kliniske, Is the carrier for the bill.

Roll Call Vote #: 1 Date: 3-11-9

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 4043

House GOVERNMENT AND VETERANS AFFAIRS Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS. CONSENT

Motion Made By HAWKEN Seconded By GRANDE

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN KLEIN	✓		REP. WINRICH	✓	
VICE-CHAIR KLINISKE	✓				
REP. BREKKE	✓				
REP. CLEARY	✓				
REP. DEVLIN	✓				
REP. FAIRFIELD	✓				
REP. GORDER	✓				
REP. GRANDE	✓				
REP. HAAS	✓				
REP. HAWKEN	✓				
REP. KLEMIN	✓				
REP. KROEBER	✓				
REP. METCALF	✓				
REP. THORESON	✓				

Total (Yes) 15 No 0

Absent 0

Floor Assignment KLINISKE

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
March 11, 1999 4:18 p.m.

Module No: HR-44-4618
Carrier: Kliniske
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SCR 4043: Government and Veterans Affairs Committee (Rep. Klein, Chairman)
recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (15 YEAS,
0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4043 was placed on the Tenth order
on the calendar.

1999 TESTIMONY

SCR 4043

TESTIMONY ON SCR 4043

PRESENTED BY SENATOR DARLENE WATNE

FEBRUARY 24, 1999

Chairman Krebsbach and Members of the Government and Veterans Committee:

I am Darlene Watne, Senator from the 5th District, Minot.

SCR 4043 asks for a study on the possibility of having voters registration in North Dakota. We are the only state that does not have voter registration. In the 1951 legislative assembly, the legislative body voted to repeal our voter registration laws. Governor Brunsdale signed the bill on February 28, 1951.

As you all know, we had a bill for registration before us this session and it was overwhelmingly defeated. The Political Subdivisions Committee heard the bill and I carried it to the floor. Testimony showed there were a number of areas of possible voter fraud in our state and residency voting is questionable. This particularly was a concern as it related to students in our colleges and farmers who have moved into the cities. This suggests that voter registration may be right for our state, so let's study it and see if that is so.

There were four main reasons why voter registration is NOT good at this time. They are:

1. If we implement voter registration, we can never turn back and become a part of the National Voter Registration Act. NVRA is having problems at this time, it has become complex and cumbersome to the states. Our Secretary of State feels it will take around four years to clear up those problems.

2. The bill came with a large fiscal note and we have no extra funds this session. It will also be a burden to the political subdivisions and we need to know how much of a burden before implementing such a procedure.

3. We are approaching a new census, redistricting. If we do this now it would have to be redone later.

4. The bill called for immediate implementation it seemed impossible to do so before fall. It further called for registration 30 days before the election, which meant poll workers would be turning down a mighty lot of voters at the polls. We saw this as a potential problem.

To protect the integrity of the voting process, I hope you will vote DO PASS on SCR 4043 so we can study this issue that has been a topic of concern for many, many years in North Dakota.

Respectfully,

A handwritten signature in cursive script that reads "Darlene Watne".

Darlene Watne
Senator, Fifth District



SECRETARY OF STATE

STATE OF NORTH DAKOTA
600 EAST BOULEVARD AVENUE DEPT 108
BISMARCK ND 58505-0500
February 25, 1999

TO: Senator Krebsbach and Members of the Senate Government and Veterans Affairs Committee

FR: Al Jaeger, Secretary of State

RE: SCR 4043 – Study Voter Registration in North Dakota

North Dakota is the only state in the nation without some form of voter registration. Because of that, North Dakota is also one of a handful of states¹ that is exempt from complying with the National Voter Registration Act of 1993 (NVRA). Based on our research, North Dakota would be required to comply with the provisions of the NVRA if it chose to adopt voter registration.

It is for these reasons that the Secretary of State's office welcomes a comprehensive study of enacting voter registration in North Dakota. The study should address how the provisions of NVRA would impact North Dakota, both from a procedural and fiscal standpoint, if voter registration legislation were enacted. Also, if a decision were made to proceed with the introduction of such legislation, the study would be helpful in writing the text of the legislation to ensure it conforms to the requirements of NVRA.

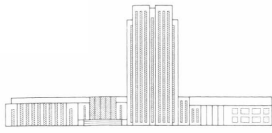
As important, the study should aim to address the need and purpose of enacting voter registration in North Dakota. Specifically, the study should attempt to identify the "potential" for voter fraud that exists in North Dakota without voter registration and how that "potential" for voter fraud would be alleviated by enacting voter registration.

Because of their critical role in the election process, the study should also enlist the assistance of the Secretary of State and the state's county auditors. In addition, the study should include a review of technology that might be available to implement and operate a voter registration system in the most efficient and cost effective manner possible.

The impact that NVRA has had on states and local governments and agencies across the country since its implementation has been great and far-reaching. It is a very complex issue. Conducting the comprehensive study suggested by Senate Concurrent Resolution 4043 before North Dakota decides whether or not to adopt voter registration would, in our opinion, allow the legislature to make a much more informed decision.

For these reasons, I urge your support of Senate Concurrent Resolution 4043.

¹ Idaho, Minnesota, North Dakota, New Hampshire, Wisconsin, and Wyoming



NORTH DAKOTA SENATE

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Senator Darlene Watne
District 5
520 28th Avenue SW
Minot, ND 58701-7065

COMMITTEES:
Judiciary,
Vice Chairman
Political Subdivisions

TESTIMONY ON SCR 4043

PRESENTED BY SENATOR DARLENE WATNE

MARCH 10, 1999

Chairman Klein and Members of the Government and Veterans Committee:

I am Darlene Watne, Senator from the 5th District, Minot.

SCR 4043 asks for a study on the possibility of having voters registration in North Dakota. We are the only state that does not have voter registration. In the 1951 legislative assembly, the legislative body voted to repeal our voter registration laws. Governor Brunsdale signed the bill on February 28, 1951.

As you all know, we had a bill for registration before us this session and it was overwhelmingly defeated. The Political Subdivisions Committee heard the bill and I carried it to the floor. Testimony showed there were a number of areas of possible voter fraud in our state and residency voting is questionable. This particularly was a concern, as it related to students in our colleges and farmers who have moved into the cities. This suggests that voter registration may be right for our state, so let's study it and see if that is so.

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Respectfully,

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Darlene Watne
Senator, Fifth District



SECRETARY OF STATE

STATE OF NORTH DAKOTA
600 EAST BOULEVARD AVENUE DEPT 108
BISMARCK ND 58505-0500

March 11, 1999

TO: Representative Klein and Members of the House Government and Veterans Affairs Committee

FR: Al Jaeger, Secretary of State

RE: SCR 4043 – Study Voter Registration in North Dakota

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