

2021 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1256

2021 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Pioneer Room, State Capitol

HB 1256
1/21/2021

Relating to endorsements and contributions by the governor and a prohibition on using nonpublic funds for elections operations; and to provide a penalty

Vice Chairman B. Koppelman opened the hearing on HB 1256 at 3:22 p.m.

Representatives	Roll Call
Representative Jim Kasper	P
Representative Ben Koppelman	P
Representative Pamela Anderson	P
Representative Jeff A. Hoverson	P
Representative Karen Karls	P
Representative Scott Louser	P
Representative Jeffery J. Magrum	P
Representative Mitch Ostlie	P
Representative Karen M. Rohr	P
Representative Austen Schauer	P
Representative Mary Schneider	P
Representative Vicky Steiner	P
Representative Greg Stemen	P
Representative Steve Vetter	P

Discussion Topics:

- Prohibition on state and political subdivisions from soliciting or accepting grants or donations from private persons for elections operations or administration
- Prohibition on the governor of ND from endorsing or making political contributions
- First amendment

Rep. Magrum introduced the bill and testified in favor with testimony #2179, #2181.

Gaylynn Becker, Bismarck, testified in favor with testimony #2154.

Andrew Bornemann, Kintyre, District #28 Republican Party Chairman, testified in favor with testimony #4940.

Loren DeWitz, District 8 Republican Party Chairman, testified in favor with testimony #2065.

Jim Silrum, Deputy Secretary of State, testified in opposition with testimony #2160.

Additional written testimony: #2077, #2082, #2119, #2131, #2139, #2145, #2153, #2162

Vice Chairman B. Koppelman closed the hearing at 4:43 p.m.

Carmen Hart, Committee Clerk



NORTH DAKOTA HOUSE OF REPRESENTATIVES

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Jeffery J. Magrum

District 28
P.O. Box 467
Hazelton, ND 58544-0467

C: 701-321-2224
jmagrum@nd.gov

COMMITTEES:

Judiciary
Political Subdivisions

O1/21/2021

Good day Chairman Koppelman and fellow committee members.

For the record I am Jeff Magrum Representing District 28 in your state House of Representatives.

I stand before you to introduce HB1256. This bill looks simple but as you will hear it is most likely one of the most important bills of the session.

The first part of the bill is a prohibition on state and political subdivisions from soliciting or accepting any grants or donations from private persons for elections operations or administration. This issue came to light after this last election as we found out that Mark Zuckerberg's organization granted over 400 million dollars to counties nationwide and also granted to 42 counties in the state of ND to be used for elections. This is alarming considering the potential for fraud in our elections. There are strings attached to this money and I understand that the counties that received funds have to fill out forms that describe how the funds were spent. Ironically there have been reports of voter fraud throughout the nation. Mark Zuckerberg is the founder of facebook and facebook sells campaign adds as well as controlling the algorithm which means that facebook controls who sees the ads and how many times. Not only is this a conflict of interest it does create an avenue for mischief. Elections are a sacred right and the integrity of the elections should be protected at all costs. Our state is fully capable of conducting safe and fair elections without giving up our sovereignty.

The second part of the bill is a prohibition on the Governor of ND from endorsing or making political contributions directly or indirectly to a candidate for an office of the Legislative Assembly. This is based on Article five section 10 of the ND State Constitution. I will refer to the handout to explain my points further.

In closing, remember that we have three separate branches of government to keep a checks and balance on each branch of our government. There should always be a healthy tension between the branches. I pray that this doesn't happen to another candidate for the legislature. Please help to get this fixed.

Thank you and

I stand for questions.

"Click here to type"

#2181

CTCL COVID-19 Response Grant Report

All grantees are required to submit a report by January 31, 2021.

Name *

Gina Ketterling
First Name Last Name

Email *

gketterl@nd.gov
example@example.com

State *

North Dakota

Jurisdiction Name *

McIntosh County
ex: Adams County, Adams Twp, etc.

Office Name *

Auditor
ex: Board of Elections

1. Total CTCL COVID-19 Response Grant received: *

5000.00

2. Please indicate how much of the grant funds were spent on the following public purposes between the dates of June 15, 2020 and December 31, 2020: *

	\$ Amount
a. Ballot drop boxes	440.52
b. Drive-through voting	0.00
c. Personal protective equipment (PPE) for staff, poll workers, or voters	4075.20
d. Poll worker recruitment funds, hazard pay, and/or training expenses	0.00

e. Polling place rental and cleaning expenses	83.28
f. Temporary staffing support	0.00
g. Election department real estate costs, or costs associated with satellite election department office	0.00
h. Vote-by-mail/Absentee voting equipment or supplies	0.00
i. Election administration equipment	401.00
j. Voting materials in languages other than English	0.00
k. Non-partisan voter education	0.00

3. Total grant expenditures on sections 2a-2k: *

5000.00

4. If your answers to question 1 and question 3 do not match, for what additional purposes were grant funds expended?

Type here...

5. I certify that grant funds have only been expended for the public purpose of improving, administering and ensuring the safety of elections. *☒ Yes**Your initials: ***

GLK

If all the grant funds have not been expended, you may request a 6-month grant extension which will give you additional time to expend funds for the public purpose of improving and ensuring the safety of elections in 2021. If you request an extension, you'll be required to submit another grant report by July 31, 2021.

6. Are you interested in requesting a 6-month extension to your grant agreement in order to spend down your grant funds? *

- ☒ No, I do not need an extension.
- ☐ Yes, I would like to request a 6-month extension to my grant agreement.

Here's an opportunity to celebrate your accomplishments! What did you do with the CTCL COVID-19 Response grant funds that you're most proud of?

The purchasing of the Ballot Drop Box was immensely helpful, and our voters were glad to have that available to them. Also the purchase of individual standing voting booths. Previously we

If your annual budget for elections permanently doubled, what would you be able to accomplish that you can't accomplish now?

Not an issue

Nowadays, election officials are expected to be experts on so many topics. Which challenges do you feel most prepared for? Which do you feel least prepared for?

Type here...

Many of you asked to share photos of how you spent the grant funds. While this is completely optional, we welcome any photos (or other documents) you'd like to send our way!

Browse Files

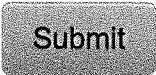
Any other thoughts you'd like to share?

Thank you

We love anecdotes, links to news articles about your grant spending, ideas for future CTCL programs, hearing what you love/hate about your job, etc. — anything else you want to tell us!

Once a month, we send out a newsletter called ELECTricity, which helps election officials stay current with election administration stories, technology, and best practices. We also send periodic updates about CTCL's trainings, resources, and tools. Would you like to receive this newsletter?

☐ Yes, I'd like to receive CTCL's newsletter.



Powered by JotForm

Center for Tech and Civid Life Grant

Check	Payee	Description of Purchase	Amount
86147	VISA (GAPM)	Outdoor Drop Box for Vote By Mail Only Ballots	415.52
86154	Ashley Super Valu	Disinfecting Cleaner	83.28
86208	Thrifty White	Latex Gloves for Poll Workers & Voters	15.98
86189	Meidinger Construction	Drills Holes in Concrete to Mount Election Drop Box	25.00
86266	A & B Business	Case of Hand Sanitizer	250.80
86560	Inclusion Solutions, LLC	Virus Protection Kits for Poll Workers	365.60
86663	Computer Express	Remote Access Computer for Central Voter File. In our efforts to keep our Election Team members from all getting Covid. We opted to rotate members to work remotely from home.	401.00
86814	Inclusion Solutions, LLC	Voting Booths (Our previous tables did not allow for social distancing. So these voting booths were very useful.	3,649.00
86858	VISA (Amazon)	Face Masks for Election Voters	116.5
Total Expense:			5,322.68

CTCL Grant Amount: 5,000.00

House Government and Veterans Affairs Committee

HB 1256

By Gaylynn Becker, Ph.D.

January 21, 2021

=====

Chairman Jim Kasper and Members of the House Government and Veterans Affairs Committee:

I am Gaylynn Becker of Bismarck, ND. I'm here to represent myself. I am here to testify in support of House Bill 1256.

I do not support the governor endorsing or making contributions directly or indirectly to a candidate for an office of a member of the legislative assembly prior to a primary election.

I saw this occur in North Dakota last year and it provided undue influence in local legislative district decisions. These decisions on local district representation should be done by the local district without big influence from those outside of the legislative district.

I ask that you pass HB 1256.

God bless you.

Andrew Bornemann, District 28 Republicans Chairman
Testamony in favor of HB 1256

1/21/21

Mr Chairman and members of the House Government and Veterans Affairs Committee,

My name is Andrew Bornemann. I live on a small farm near Kintyre, ND, with my wife and two young sons. Along with helping on our family farm, and running an agriculture service business, I am also currently serving as the Chairman for the District 28 Republican Party.

I am here today to speak in favor of House Bill 1256. I would like to take this time to address section 2 of this bill specifically, and to share with you why I feel this legislation is necessary.

As I am sure you all know, this last election cycle was a rather bumpy one, to put it mildly. Not only was campaigning more difficult because of the Covid-19 situation, but it was also compounded by the involvement of our sitting Governor in numerous races across the state. It is an established fact that our current Governor expended upwards of \$2 MILLION dollars of his own money in an effort to defeat specific incumbent candidates for the legislature and for statewide office; almost, if not all of whom had in some fashion opposed his pet projects or proposals in the prior election cycle.

In our district, the Governor, through his Political Action Committee, spent a significant sum on mail advertising, banners, billboards, and direct voter contact, in an effort to get his preferred candidate elected to this body. This effort was in direct opposition to the will of the people in our district, expressed through the district endorsing process, in which the candidate the Governor was campaigning against won the endorsement on the first round, and with the most number of votes, and the Governor's candidate did not receive the endorsement of the district at all. Nonetheless, the Governors PAC doubled down and increased their spending in an attempt to beat the district endorsed candidate in the primary election. This action on the part of the Governor cost our district added time and expense in making sure our voters knew who the endorsed candidates of the District Party were, and dispelling much of the misinformation that was being spread. The voters of our district thankfully rejected the Governor's assault on our choice of representatives, and proudly re-elected Senator Erbele, and representatives Brandenburg and Magrum.

But what does this all matter anyway? I submit to you that the Governors actions, being involved to this extent in attempting to influence the people's choices for members of the legislature, and using the influence of his office, and his money, to target specifically persons who were contrary to his agenda in the previous session, amounts to a blatant assault on the Separation of Powers, and is a direct violation of the North Dakota State Constitution. I would like to read to you a portion of Article V, Section 10 of our Constitution:

"A governor who asks, receives, or agrees to receive any bribe upon any understanding that the governor's official opinion, judgment, or action shall be influenced thereby, or who gives or offers, or promises the governor's official influence in consideration that any member of the legislative assembly shall give the member's official vote or influence on any particular side of any question or matter upon which the member may be required to act in the member's official capacity, or who menaces any member by the threatened use of the governor's veto power, or who offers or promises any member that the governor will appoint any particular person or persons to any office created or thereafter to be created, in consideration that any member shall give the member's official vote or influence on any matter pending or thereafter to be introduced into either house of the legislative assembly, or who threatens any member that the governor will remove any person or persons from office or position with intent in any manner to influence the action of that member, must be punished in the manner now, or that may hereafter be, provided by law, and upon conviction thereof forfeits all right to hold or exercise any office of trust or honor in this state."

To me, it would seem that the Governor's use of his influence and money, in a wholesale attempt to unseat the members of the legislature who opposed his positions, constitutes a threat to ALL members of this body with removal from their seats, if they are to oppose any of his interests in the future.

On separation of powers, Gerald VandeWalle, Chief Justice of the North Dakota Supreme Court, in his State of the Judiciary Address to a joint session of the ND Legislature on January 5th, 2011, had this to say:

"We learned early in our civics courses about separation of powers in the United States. The matter was debated by the founding fathers and is enshrined in our form of government at the federal and state level. The opinions of the Supreme Court recognize "that the creation of three branches of government by our constitution operates as an apportionment of the different classes of power whereby there is an implied exclusion of each branch from the exercise of the functions of the others." State ex rel. Spaeth v. Meier, 403 N.W.2d 392, 395 (N.D. 1987). That separation of powers was implied in our State Constitution, but in 1982 the Constitution was amended to provide: "The legislative, executive, and judicial branches are co-equal branches of government." N.D. Const. art. XI, § 26.

For our government to operate as it was intended, it is necessary that each branch respect the powers of the other two branches; but it is also necessary for each branch to defend its own powers against encroachment by the other two branches. The delineation of authority among the branches is not always well defined and may cause grinding and grating among the branches as each branch exercises its powers. That grinding and grating on occasion results in dissension among two or more of the branches, another lesson we learned in our civics courses.

What we did not always appreciate in our studies was that, notwithstanding the necessity of one branch of government to defend its powers against infringement by the other branches, the branches are dependent upon one another in order to fully exercise their powers. Indeed, that is part of the genius of our government and the reason that one branch is unable to govern without the assistance of other branches. In North Dakota this is the time—when the Legislature is in session—these precepts may be most apparent."

It is my opinion that HB 1256 is necessary to the deliniation of the Separation of Powers, and it is in keeping with the intent and text of the ND State Constitution. I would appreciate your support and your recommendation of a "Do Pass" on this bill as written. I would be happy to answer any questions you may have.

Thank you for your time!

Andrew Bornemann.

Testimony on House Bill 1256
House Government and Veterans Affairs
Loren DeWitz
2:00 PM, January 21, 2021

Chairman Kasper and members of the House Government and Veteran Affairs Committee, my name is Loren DeWitz. Currently I serve as District 8 Republican Party Chairman.

I have been involved in elections on the local, district, and statewide levels since the early 1970's. One observation that I have made is that years ago campaigning was on a much more personal level. Campaigning was accomplished by going door to door, using local newspaper ads, some radio and attending many community events such as church dinners, pancake suppers, parades, and auction sales, where-ever people gathered. Also, many community and county organization held forums for candidates to tell voters what they would like to accomplish. With that much personal contact, campaigns stayed on a more positive level.

In the past ten to fifteen years, we have seen a movement toward more use of Radio, TV, mail-out cards and social media. We have lost much of the personal contact. These types of campaigns tend to be more expensive and we see that those with the most money generally prevail. We have seen state-wide issues funded by people from outside of ND being successful. I don't think that the trend toward big money winning elections is good for North Dakota.

I believe that now is the time to start the discussion on this issue. Can it continue unchecked? Or do we look at some type of limits. These are not going to be easy decisions to make, but I hope there can be some discussions on this issue.

I support the concept behind HB 1256.

ALVIN A. JAEGER
SECRETARY OF STATE

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

January 21, 2021

TO: Chairman Kasper and Members of the House Government and Veterans Affairs Committee

FR: Jim Silrum, Deputy Secretary of State on behalf of Secretary of State Al Jaeger

RE: HB 1256 – Prohibition on the use of private funds for elections and restrictions on Governor

Section 1 of this bill adds a new section to Chapter 16.1-01 of the North Dakota Century Code prohibiting state and political subdivisions from soliciting, accepting, or using money from private persons for the administration of elections. This bill may have been prompted because the owner of Facebook offered \$350,000,000 in election administration grants to states and counties before the 2020 general election.

The Secretary of State's office did not apply for a grant because we thought it proper to only fund the state's elections with appropriated state and federal funds approved by the legislature. We also did not apply for the grant because we were informed that if we used the grant money for a social media campaign, Facebook would reserve the right to control the state's messaging to educate the voters of North Dakota through their social media platform.

It is our understanding that 47 of the state's 53 counties did apply and accept the offered grants. The Secretary of State and election team members were not asked, nor did we advise whether they should accept the funds. It was solely a county decision.

Generally speaking, we think private funds should not be used to administer elections. However, there might be exceptions. During the 2020 election cycle, Anheuser-Busch, working with the National Association of Secretaries of State, offered hand sanitizer to each state. Ultimately we did not accept the offer because of the added cost and logistics necessary to ship the correct amounts to the 53 counties.

Section 2 prohibits a governor from endorsing or making contributions to a legislative candidate. This is contrary to the First Amendment of the United States Constitution, which guarantees the right of free speech to everyone. The United States Supreme Court has also ruled that the use of money to support or oppose an individual's bid for election is a form of free speech. The most famous case was Citizens United.

On behalf of the Secretary of State and his election team, I request the committee to give this bill in its current form a do not pass recommendation.

HB 1256

I will try to be there in person to testify in support of this bill but due to work constraints, I will submit written testimony if case I can not make it.

This need to cease!!

I do not believe it is the Governor's place to be able to use personal funds to support the very people who are elected by we the people to make the laws.

I do not want the Governor to buy our lawmakers!

Thank you for a do pass recommendation!

HB 1256

I will try to be there in person to testify in support of this bill but due to work constraints, I will submit written testimony in case I can not make it.

Allowing the Governor to financially back candidates, blurs the line of separation of powers between the Executive and Legislative branches.

I recommend a do pass on HB 1256

HB 1256 in support of

I wholeheartedly support this bill and here are a few reasons why.

I believe good citizens will be deterred from running to serve the people because of the unfair amount of money that was given by the Governor to back a couple candidates for ND House.

This blurs the line that should not be crossed between the Legislative assembly and the Executive branch.

We want our reps to be elected fair and square by the people and not feel bought and paid for and feel targeted in re-elections because of massive donations from an extremely wealthy Governor.

I also believe votes will be affected by massive donations.

The 2020 election campaigns spent at least 3 times the amount of money as did in past elections.

This has to stop!! We want a free and fair election. I strongly recommend a do pass on this bill!

Kathy Schneibel

Dear Members of the Government and Veterans Affairs Committee

My husband, Wayne Jundt and I are writing in support of HB1256. We are members of District 8 and have been residents in District 8 for over 28 years. WE are not aware of any other circumstance like just occurred last year of an elected official in this case the Gov who provided significant dollars to endorse a candidate in an effort to meet their agenda.

We wholeheartedly support passage of this bill and appreciate your support in passing of this bill.

Sincerely,

Valerie and Wayne Jundt

Dear Committee Members of House Government & Veterans Affairs,

I had the unique opportunity to support a Candidate of District 8 as Campaign Advisor during the election year of 2020.

We worked very hard as a team to get hundreds of people to the District 8 Endorsement meeting and won the endorsement of the people without the support of the Governor. We knocked on doors and called the people and were warmly welcomed and offered support.

Then the 1.8 million dollars donated by the Governor in an effort to buy these 2 House seats in District 8 kicked in. I firmly believe the candidate I worked with did not realize what was to come.

As 4 large glossy postcards filled my mailbox every few days, the candidate I worked with would cringe in embarrassment. I have texts and messages stating the embarrassment and how this candidate could not wait until it was over. Numerous calls and messages came in from constituents in dismay at the massive amount of money put up to buy the seats in District 8.

I watched the physical deterioration of the candidate I represented as the stress of feeling bought overwhelmed this person.

Many people witnessed the chaos and division this donation by the Governor brought to District 8.

We the people do not want the Governor blurring the lines between the Legislative Assembly and the Executive Branch. We do not want billionaires buying Legislative seats and we want our Representatives to vote according to how their constituents want, not because of pressure to vote a certain way because of financial backing by the Executive Branch.

We want a fair election and for regular citizens not to feel intimidated in running for a seat to represent we the people. How can normal folks feel inspired to run to represent the people when the potential is there for the Governor to throw millions at an opponent.

I wholeheartedly appreciate the support of the committee members in the passing of this bill and I appreciate the work of the Legislators on the writing and support of HB1256.

Sincerely,

Bea Streifel

District 8

Burleigh County Planning and Zoning Commissioner

Bismarck ND resident for over 30 years

Dear Members of the House Government and Veterans Affairs Committee

We, Roger & Melissa Miller are writing in support of HB1256.

We have been members of District 8 for many years. We were appalled by the effort of our Governor to influence the results of the Legislative House race.

This type of power should not belong only to individuals with substantial financial resources. This role belongs to the people of ND.

The 2020 election, especially the District 8 campaign revealed the unethical support.

We wholeheartedly support passage of this bill and appreciate your support in passing of this bill.

Sincerely,

Melissa & Roger Miller

Testimony in support of HB 1256
Before the Government and Veterans Affairs Committee
January 21, 2021

Chairman Kasper and members of the Government and Veterans Affairs Committee:

I submit my testimony in support of HB 1256. It is my understanding this bill relates to endorsements and contributions by the governor and a prohibition on using nonpublic funds for elections operations; and to provide a penalty.

I can see no better time for the submission of this bill than the current state of affairs surrounding our most recent elections process in the United States of America. Currently, it is likely 75 million people in America believe or suspect the Presidential Election in favor of President Trump was stolen from them through corrupt monies hidden as grants and dispersed in key swing states. Additionally, many citizens have come to realize the corruption in our elections systems has grown to an unacceptable level. One could ascertain this awareness was created ONLY because President Trump and his team brought the fraudulent vote statistics, the means of how the corruption occurred and the systems used to commit that corruption forward so United States Citizens would understand what happened and how their vote was stolen. I personally believe my vote was stolen through a fraudulent election then not supported by my state's congressional representatives by challenging the electoral process. To me, it seems more likely than not that the use of monies designated as grants for the elections process in some states were at least contributory to the fraud and corruption witnessed and documented in the 2020 election process. As a citizen I am appalled at the level of election fraud and believe it must be prosecuted and stopped from occurring in the future.

I find it difficult to think that moneys used for endorsements or contributions to elections operations wouldn't somehow become corrupted in the process, especially as we have witnessed the targeted use of those funds in key swing states and likely local elections throughout our country. Again, one need only watch the recent 2020 elections debacle to know something is seriously wrong in multiple ways within our elections process. This process **MUST BE REFORMED!**

This bill is coming forward from citizens who see the concerns about corruption and are willing to work in their communities to stop this type of influence from happening in elections within the state of ND. I am one of those citizens.

I implore you to support this bill as a means of keeping corruption and the possibility of corrupt intents out of our election process. Passing this bill is essential to keeping fair and free elections in North Dakota and ultimately the United States of America.

We cannot be so naïve as to think corruption has never been an influence in our elections in ND. As citizens of North Dakota, we must close any gaps which allow corruption to enter into our elections system. I believe this bill will help close one gap and respectfully request your support of HB 1256.

Sincerely,
Tamara Unterseher, Bismarck ND

Untitled

HB 1256

I completely support HB1256.

I live in District 8, a large amount of money was given to a few candidates in my District by the Governor. An amount that was so large that most candidates would have a difficult time competing with the dollar amount. I believe this will deter good candidates from running in the future if they do not line up with the Governors agenda. This is a very scary scenario for ND.

We all know money buys votes and there is always something in return. This is not what the people want in N.D. We want free and fair election by the people.

If we allow the Governor to buy votes, our legislators will no longer be for the people. I also believe that legislators will may not cast a vote for the constitutes they serve, but cast a vote out of fear for being the next seat targeted by our Governor.

I strongly recommend a DO PASS on HB 1256

Stacey Castleman
District 8

2021 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Pioneer Room, State Capitol

HB 1256
1/29/2021

Relating to endorsements and contributions by the governor and a prohibition on using nonpublic funds for elections operations; and to provide a penalty

Chairman Kasper opened the committee work meeting at 11:05 AM.

Representatives	Roll Call
Representative Jim Kasper	P
Representative Ben Koppelman	P
Representative Pamela Anderson	P
Representative Jeff A. Hoverson	P
Representative Karen Karls	P
Representative Scott Louser	P
Representative Jeffery J. Magrum	P
Representative Mitch Ostlie	P
Representative Karen M. Rohr	P
Representative Austen Schauer	P
Representative Mary Schneider	P
Representative Vicky Steiner	P
Representative Greg Stemen	P
Representative Steve Vetter	P

Discussion Topics:

- Non-public funds
- Governor endorsement
- Big money

Rep. Vetter moved to amend the bill with # 21.0377.02002.

Rep. Steiner seconded

Voice Vote: Motion carried.

Rep. B. Koppelman motioned Do Pass as Amended with #21.0377.02002.

Rep. Vetter. seconded

Roll Call Vote:

Representatives	Vote
Representative Jim Kasper	Y
Representative Ben Koppelman	Y

Representative Pamela Anderson	N
Representative Jeff A. Hoverson	Y
Representative Karen Karls	Y
Representative Scott Louser	Y
Representative Jeffery J. Magrum	Y
Representative Mitch Ostlie	Y
Representative Karen M. Rohr	Y
Representative Austen Schauer	N
Representative Mary Schneider	N
Representative Vicky Steiner	Y
Representative Greg Stemen	Y
Representative Steve Vetter	Y

Motion carried. 11-3-0.

Rep. Magrum: Carrier.

Chairman Kasper closed the hearing at 11:19 AM.

Carmen Hart, Committee Clerk by Donna Whetham

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1256

Page 1, line 1, remove "and a new section to"

Page 1, line 2, remove "chapter 16.1-08.1"

Page 1, line 2, remove "endorsements and"

Page 1, line 3, remove "contributions by the governor and"

Page 1, line 4, remove "; and to provide a penalty"

Page 1, remove lines 11 through 15

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1256: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends
DO PASS (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1256 was placed
on the Sixth order on the calendar.

Page 1, line 1, remove "and a new section to"

Page 1, line 2, remove "chapter 16.1-08.1"

Page 1, line 2, remove "endorsements and"

Page 1, line 3, remove "contributions by the governor and"

Page 1, line 4, remove "; and to provide a penalty"

Page 1, remove lines 11 through 15

Renumber accordingly

2021 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1256

2021 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Room JW216, State Capitol

HB 1256
3/5/2021

A BILL relating to a prohibition on using nonpublic funds for elections operations.
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Chair Vedaa opened the hearing at 10:00 AM with Sen Vedaa, Meyer, Elkin, K Roers, Weber, Wobbema, and Marcellais present.

Discussion Topics:

- Conflict of interest
- \$400 M to counties nationwide
- Strings attached to money
- Manner of distribution

Rep Magrum – District 28 – introduced the bill #7537

Jim Silrum – Deputy Sec. of State testified in favor

Sen Wobbema moves Do Pass

Sen Weber seconds

Roll Call Vote – 5 -- YES 2 -- NO -0-ab Motion Passes

Senators	Vote
Senator Shawn Vedaa	Y
Senator Scott Meyer	Y
Senator Jay R. Elkin	Y
Senator Richard Marcellais	N
Senator Kristin Roers	N
Senator Mark F. Webber	Y
Senator Michael A. Wobbema	Y

Sen Vedaa will carry the bill

Adjourned at 10:33 AM

Pam Dever, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1256, as engrossed: Government and Veterans Affairs Committee (Sen. Vedaa, Chairman) recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1256 was placed on the Fourteenth order on the calendar.

NORTH DAKOTA HOUSE OF REPRESENTATIVES

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360

**Representative Jeffery J. Magrum**

District 28
P.O. Box 467
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jmagrum@nd.gov

COMMITTEES:

Judiciary
Political Subdivisions

03/05/2021

Good morning Chairman Vedaa and committee members.

For the record I am Jeff Magrum representing Dist. 28 in the State House. District 28 is south-central ND.

I stand before you to introduce HB1256. This bill is very simple and straight forward. The goal is a prohibition on state and political subdivisions from soliciting or accepting any grants or donations from private persons for elections operations or administration. This issue came to light after the 2020 election. Mark Zuckerberg's 501C3 organization granted over 400 million dollars to counties nationwide and to 42 counties in ND to be used for elections. This is alarming considering the potential for fraud in our elections. There are strings attached to the funds. Ironically there have been reports of suspected voter fraud in parts of the nation.

Mark Zuckerberg's Facebook sells campaign advertising and controls the Algorithm (prioritization) of the adds creating potential for mischief as to who gets to see which advertising.

Elections are a sacred right in ND and should be protected. Our state is totally capable of conducting free and fair elections without giving up our sovereignty.

The House voted 78Yes-13N and I respectfully ask for a due pass recommendation.

Thanks so much and I stand for questions

1716	Adams	County	North Dakota
1717	Barnes	County	North Dakota
1718	Benson	County	North Dakota
1719	Bottineau	County	North Dakota
1720	Burleigh	County	North Dakota
1721	Cass	County	North Dakota
1722	Cavalier	County	North Dakota
1723	Dickey	County	North Dakota
1724	Divide	County	North Dakota
1725	Dunn	County	North Dakota
1726	Foster	County	North Dakota
1727	Golden Valley	County	North Dakota
1728	Grand Forks County	County	North Dakota
1729	Grant County	County	North Dakota
1730	Hettinger	County	North Dakota
1731	Lamoure	County	North Dakota
1732	Mchenry	County	North Dakota
1733	Mcintosh	County	North Dakota
1734	Mckenzie	County	North Dakota
1735	Mclean	County	North Dakota
1736	Mercer	County	North Dakota
1737	Morton	County	North Dakota
1738	Mountrail	County	North Dakota
1739	Nelson	County	North Dakota
1740	Pembina	County	North Dakota

Pierce	County	North Dakota
Ramsey	County	North Dakota
Ransom	County	North Dakota
Renville	County	North Dakota
Richland	County	North Dakota
Rolette	County	North Dakota
Sheridan	County	North Dakota
Sioux	County	North Dakota
Slope	County	North Dakota
Stark	County	North Dakota
Steele	County	North Dakota
Stutsman	County	North Dakota
Towner	County	North Dakota
Traill	County	North Dakota
Walsh	County	North Dakota
Ward	County	North Dakota
Wells	County	North Dakota
Williams	County	North Dakota

CTCL COVID-19 Response Grant Report

All grantees are required to submit a report by January 31, 2021.

Name *

Gina Ketterling
First Name Last Name

Email *

gketterl@nd.gov
example@example.com

State *

North Dakota

Jurisdiction Name *

McIntosh County
ex: Adams County, Adams Twp, etc.

Office Name *

Auditor
ex: Board of Elections

1. Total CTCL COVID-19 Response Grant received: *

5000.00

2. Please indicate how much of the grant funds were spent on the following public purposes between the dates of June 15, 2020 and December 31, 2020: *

	\$ Amount
a. Ballot drop boxes	440.52
b. Drive-through voting	0.00
c. Personal protective equipment (PPE) for staff, poll workers, or voters	4075.20
d. Poll worker recruitment funds, hazard pay, and/or training expenses	0.00

e. Polling place rental and cleaning expenses	83.28
f. Temporary staffing support	0.00
g. Election department real estate costs, or costs associated with satellite election department office	0.00
h. Vote-by-mail/Absentee voting equipment or supplies	0.00
i. Election administration equipment	401.00
j. Voting materials in languages other than English	0.00
k. Non-partisan voter education	0.00

3. Total grant expenditures on sections 2a-2k: *

5000.00

4. If your answers to question 1 and question 3 do not match, for what additional purposes were grant funds expended?

Type here...

5. I certify that grant funds have only been expended for the public purpose of improving, administering and ensuring the safety of elections. *☒ Yes**Your initials: ***

GLK

If all the grant funds have not been expended, you may request a 6-month grant extension which will give you additional time to expend funds for the public purpose of improving and ensuring the safety of elections in 2021. If you request an extension, you'll be required to submit another grant report by July 31, 2021.

6. Are you interested in requesting a 6-month extension to your grant agreement in order to spend down your grant funds? *

- ☒ No, I do not need an extension.
- ☐ Yes, I would like to request a 6-month extension to my grant agreement.

Here's an opportunity to celebrate your accomplishments! What did you do with the CTCL COVID-19 Response grant funds that you're most proud of?

The purchasing of the Ballot Drop Box was immensely helpful, and our voters were glad to have that available to them. Also the purchase of individual standing voting booths. Previously we

If your annual budget for elections permanently doubled, what would you be able to accomplish that you can't accomplish now?

Not an issue

Nowadays, election officials are expected to be experts on so many topics. Which challenges do you feel most prepared for? Which do you feel least prepared for?

Type here...

Many of you asked to share photos of how you spent the grant funds. While this is completely optional, we welcome any photos (or other documents) you'd like to send our way!

Browse Files

Any other thoughts you'd like to share?

Thank you

We love anecdotes, links to news articles about your grant spending, ideas for future CTCL programs, hearing what you love/hate about your job, etc. — anything else you want to tell us!

Once a month, we send out a newsletter called ELECTricity, which helps election officials stay current with election administration stories, technology, and best practices. We also send periodic updates about CTCL's trainings, resources, and tools. Would you like to receive this newsletter?

☐ Yes, I'd like to receive CTCL's newsletter.



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Center for Tech and Civid Life Grant

Check	Payee	Description of Purchase	Amount
— 86147	VISA (GAPM)	Outdoor Drop Box for Vote By Mail Only Ballots	415.52
— 86154	Ashley Super Valu	Disinfecting Cleaner	83.28
— 86208	Thrifty White	Latex Gloves for Poll Workers & Voters	15.98
— 86189	Meidinger Construction	Drills Holes in Concrete to Mount Election Drop Box	25.00
— 86266	A & B Business	Case of Hand Sanitizer	250.80
— 86560	Inclusion Solutions, LLC	Virus Protection Kits for Poll Workers	365.60
— 86663	Computer Express	Remote Access Computer for Central Voter File. In our efforts to keep our Election Team members from all getting Covid. We opted to rotate members to work remotely from home.	401.00
— 86814	Inclusion Solutions, LLC	Voting Booths (Our previous tables did not allow for social distancing. So these voting booths were very useful.	3,649.00
— 86858	VISA (Amazon)	Face Masks for Election Voters	116.5
			Total Expense: 5,322.68

CTCL Grant Amount: 5,000.00