

ALVIN A. JAEGER  
SECRETARY OF STATE  
STATE OF NORTH DAKOTA  
600 E BOULEVARD AVENUE DEPT 108  
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## SECRETARY OF STATE

July 30, 2021

RE: Notice of Intent and Proposed Rules – Certifying and Decertifying Electronic Voting Systems

Ms. Vonette Richter  
Assistant Code Revisor  
North Dakota Legislative Council  
State Capitol  
600 East Boulevard, 2nd Floor  
Bismarck, ND 58505-0360

Dear Ms. Richter:

The Notice of Intent to amend Administrative Rules and a copy of the proposed rules are enclosed as required by N.D.C.C. § 28-32-10(1).

Sincerely,

A handwritten signature in blue ink, appearing to read "BDN".

Brian D. Newby, Elections Director  
ND Secretary of State's Office

Enclosures

cc: Secretary Al Jaeger  
Deputy Secretary Jim Silrum

## FULL NOTICE OF INTENT TO AMEND AND REPEAL ADMINISTRATIVE RULES

TAKE NOTICE that the Secretary of State will hold a public hearing to address proposed changes to North Dakota Administrative Code 72-06-01 at 1:00 p.m. on Monday, September 13, 2021, in the Pioneer meeting room at the North Dakota State Capitol, 600 East Boulevard Avenue Bismarck ND 58505.

The purpose of the proposed changes is to update the N.D. Admin. Code 72-06-01 is to implement recently passed legislation regarding the change from a direct-recording electronic voting machine or "DRE" voting machine to a digital scan voting system. The proposed changes address the procedures to certify and decertify the new digital scan electronic voting systems.

The proposed rulemaking implements bill number H.B. 1253, enacted during the most recent legislative session, concerning the adoption of a new electronic voting system. The proposed amendments and repeals are not expected to have an impact on the regulated community in excess of \$50,000.

The proposed rules may be reviewed at the office of the Secretary of State at 600 E boulevard Avenue Dept. 108 Bismarck, North Dakota 58505. A copy of the proposed rules and/or a regulatory analysis may be requested by writing the above address, e-mailing [soselect@nd.gov](mailto:soselect@nd.gov), or calling 701-328-4146. Written or oral comments on the proposed rules sent to the above address or telephone number and received by September 23, 2021 by 5:00 p.m. will be fully considered.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the Secretary of State's office at the above telephone number or address at least one week prior to the public hearing.

Dated this 27th day of July, 2021.

Alvin A. Jaeger, Secretary of State