

## NCSL-Democracy Fund Project Elections 2020: Policy, Funding and the Future North Dakota

A team of North Dakota legislators and state and local election officials convened in Fargo on Dec. 3, 2015, to discuss elections-related technology. Topics included voting by mail, the use of e-poll books, the cost and maintenance of voting machines, testing equipment before the election, the evolutionary nature of voting systems and potential funding for new machines in the state.

### A Profile of Elections in North Dakota

- Turnout: 61 percent in the November 2012 General Election<sup>1</sup>
- Equipment: precinct-based and central count optical scanners, and ballot marking devices for ADA compliance
- Overall rank on the 2012 The Pew Charitable Trusts' [Elections Performance Index](#): 1

### The Morning: Presentation by Cass County Auditor

Cass County Auditor Mike Montplaisir and his staff gave presentations on maintaining election equipment, using e-poll books, storage and transportation requirements for voting machines and other materials, pre-election testing, polling place set-up and voter ID requirements.

- North Dakota is the only state that does not have voter registration. The state maintains a Central Voter File (CVF), a list of voters who have voted in previous elections. This is not a list of who can vote since an elector's name does not need to appear in the poll book before being qualified to vote.
- At the polling place a voter must present ID with the voter's name, current residential address and date of birth.
- In Cass County, poll workers access previous voter's information through an e-poll book. The e-poll books are connected to a server at the courthouse and must have access to a secure Internet connection. In polling locations where this is difficult, Cass County IT staff have built antennae to boost the signal and strategically placed modems in order to get reliable connectivity.
- The e-poll books allow poll workers to look up previous voters, update voter addresses, add new voters to the list and determine if a voter has already received an absentee ballot.
- The Secretary of State's Office updates the CVF weekly—soon to be daily—with address information and updates from the Department of Transportation. A voter's address must match the address listed in the CVF, but address updates at the polling place are possible.
- Some counties in North Dakota are all vote-by-mail and some use vote centers. These options are especially popular in more rural counties.
- The number of voters that vote absentee or during early voting is growing in Cass County and across the state.
- Cass County uses a tracking software that allows them to see activity at the polling place in real time, and pull reports after Election Day about how many voters voted where and when.
- The Cass County Commission sees elections as a core county function, like law enforcement, and will fund reasonable requests for election equipment and supplies. Cass County bought e-poll books in 2015 for \$300,000.

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<sup>1</sup> Percentage of voting eligible population, courtesy of The Pew Charitable Trusts' [Elections Performance Index](#)

## The Afternoon: A Conversation on Election Technology and the Future of North Dakota Elections

Participants identified and discussed key issues in election technology and administration that will be facing North Dakota in the coming years. There is general consensus that North Dakota's voting machines are aging and will soon need to be replaced.

### What are some considerations when looking at replacing election systems?

- It's no longer possible to talk about just a voting system—it is an election system with various interconnected parts and different technologies that need to interact in order to run a successful election.
- In North Dakota the election system includes the Central Voter File, ballot building software, e-poll books, ballot marking devices, optical scan voting machines and systems that facilitate military and absentee voting.
- Election systems are continually evolving and this network could include additional technologies in the future.
- If one part of a system is replaced there may be reverberations in other parts of the overall system, so it's important to ask how everything works together.
- When considering new election equipment it's important to discuss the expected lifespan of that system, and what the whole cost of it will be over that expected lifespan.
- Over the course of its lifespan a system needs to adapt to changes in legislation and new practices. According to the Deputy Secretary of State, a new system will cost about \$20 million statewide.
- The legislature gave counties the option to conduct vote-by-mail elections. Some have chosen to do so and others haven't, but there is now rich research on what works and what doesn't in North Dakota. The state can now gather information from counties to inform decisions on how vote-by-mail can best be implemented and inform counties as to the costs, benefits, risks, security concerns, and interactions with the post office.
- One possibility moving forward is a uniform voting system used in a strategic way based on the needs of the counties. If this is the choice, the system would need to be scalable, but also flexible to meet the needs of different counties.

### If the state moves forward with buying a new election system, where might the funds come from?

- The Secretary of State's Office would like to come to the legislature with an estimate of how much it would cost to buy new equipment. They are in the process of refining this number so they can include a reasonable estimate in the governor's budget, to be considered in the 2017 legislative session.
- It is important for auditors to take the lead and inform legislators of the need for new equipment.
- Wherever the funds come from, an investment in new equipment will ensure that the public can continue to trust their election system is working well.
- Counties and states could share costs. For example, the state could cover the cost of procurement, education and maintenance for the anticipated life of the system. Counties could take on the cost of printing ballots, programming machines and the day-to-day storage and upkeep of the machines. There should be a clear definition of state responsibility and county responsibility. Although much of the initial cost would fall to the state, over time counties would bear a significant share of costs.

### Additional takeaways:

- People are as important as technology in running high quality elections. North Dakotans have a lot of confidence in their elections and it's important to keep it that way.
- Partnerships between different groups—auditors, legislators and state-level officials—are important.

## Resources

- NCSL's [Election Technology Overview](#) webpage
- NCSL's [Election Tech Funding News](#)
- NCSL's webpage on [Voting Equipment](#)
- NCSL's webpage on [Electronic Poll Books](#) (additional backup material is also available)
- NCSL's webpage on [Electronic Transmission of Ballots](#) (additional backup material is also available)
- Articles from NCSL's election administration newsletter The Canvass:
  - [Election Funding for 2020 and Beyond](#)
  - [Elections Technology: Nine Things Legislators May Want to Know](#)
  - [Burning Questions at NCSL's Policy and Elections Technology Conference](#)
  - [Internet Voting - Not Ready for Prime Time?](#)
  - [Internet Voting: Creeping Our Way?](#)
  - [All About E-Poll Books](#)
  - [Voting Technology: Current and Future Choices](#)
  - [Voting Technology Standards: What Legislators Need to Know](#)
- NCSL offers technical assistance, testimony and other in-person help as needed, and can provide research on any topics useful to North Dakota policymakers
- The U.S. Election Assistance Commission's (EAC) webpage on [Voting Technology Procurement](#)
- EAC'S webpage containing [Voting System Reports](#)
- EAC report [Ten Things to Know About Selecting a Voting System](#)
- EAC report [Ten Things to Know about Managing Aging Voting Systems](#)
- EAC'S [Quick Start Management Guide on Technology in Elections](#)
- The Brennan Center's [America's Voting Machines at Risk](#)
- The Brennan Center's [Guidance for Election Officials with Aging Voting Equipment](#)

## Contacts

### Wendy Underhill

Program Director

[National Conference of State Legislatures](#)

303-856-1379

[wendy.underhill@ncsl.org](mailto:wendy.underhill@ncsl.org)

### Katy Owens Hubler

Senior Policy Specialist

[Democracy Research](#)

435-647-6051

[katyowenshubler@democracyresearch.com](mailto:katyowenshubler@democracyresearch.com)

### Merle King

Executive Director

[The Center for Election Systems](#)

Kennesaw State University

770-423-6900

[mking@kennesaw.edu](mailto:mking@kennesaw.edu)