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

March 9, 2005

BY: JW

ORIGINAL

State HAVA Funding Reports
U S Election Assistance Commission
1225 New York Avenue NW Suite 1100
Washington DC 20005

Dear Commissioners,

Enclosed, as required for the 2004 calendar year, is the narrative and financial report for the State of North Dakota regarding our expenditure of funds received under Title I, Section 101, of the Help America Vote Act of 2002.

I am pleased and proud of the progress that North Dakota has made in implementing HAVA. In particular, the state has had an excellent working relationship and considerable participation from our counties, organizations representing special needs, the Governor and Legislature, individuals, and many others. It has been very gratifying.

If you have any questions regarding this report, please contact either one of the following persons:

Jim Silrum
Deputy Secretary of State
(701) 328-2900
jsilrum@state.nd.us

Danette Odenbach
HAVA Coordinator
(701) 328-7300
dodenbac@ndaco.org

Sincerely,

Alvin A. Jaeger
Secretary of State

HB1005.061

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FINANCIAL STATUS REPORT
(*Long Form*)
(*Follow Instructions on previous pages and next page*)

1. Federal Agency and Organizational Element to Which Report is Submitted. **Elections Assistance Commission**	2. Federal Grant or Other Identifying Number Assigned By Federal Agency **39.011 Section 101 Election Reform**	OMB Approval No. **0348-0039**	Page 1 of 7 Pages

3. Recipient Organization (*Name and complete address, including ZIP codes*

Secretary of State, 600 East Boulevard Avenue Department 108, Bismarck ND 58505-0500

4. Employer Identification Number **1-450309764-E6**	5. Recipient Account Number or Identifying Number **G157-03**	6. Final Report ___ Yes _X_ No	7. Basis _X_ Cash ___ Accrual

8. Funding Grant Period (*See instructions*) From: (Month, Day, Year) **4/29/03** To (Month, Day, Year) **Undetermined**	9. Period Covered by This Report From: (Month, Day, Year) **January 1, 2004** To: (Month, Day, Year) **December 31, 2004**

10. Transactions:	I Previously Reported	II This Period	III Cumulative
a. Total outlays	110,699.69	2,359,942.30	**2,470,641.99**
b. Refunds, rebates, etc.	0.00	0.00	**0.00**
c. Program income used in accordance with the deduction alternative	0.00	0.00	**0.00**
d. Net outlays (Line a, less the sum of lines b and c)	110,699.69	2,359,942.30	**2,470,641.99**
Recipient's share of net outlays, consisting of: e. Third party (in-kind) contributions	0.00	0.00	**0.00**
f. Other Federal awards authorized to be used to match this award	0.00	0.00	**0.00**
g. Program income used in accordance with the **matching or cost sharing alternative**	0.00	0.00	**0.00**
h. All other recipient outlays not shown on lines e, f, or g.	0.00	0.00	**0.00**
i. Total recipient share of net outlays (sum of lines e, f, g, and h)	0.00	0.00	**0.00**
j. Federal share of net outlays (line d less line i)	110,699.69	2,359,942.30	**2,470,641.99**
k. Total unliquidated obligations	0.00	0.00	**0.00**
l. Recipient's share of unliquidated obligations	0.00	0.00	**0.00**
m. Federal share of unliquidated obligations	0.00	0.00	**0.00**
n. Total Federal share (sum of lines j and m)	110,699.69	2,359,942.30	**2,470,641.99**
o. Total Federal funds authorized for this funding period	5,014,105.00	19,341.20	**5,033,446.20**
p. Unobligated balance of Federal funds (Line o minus line n)			**2,562,804.21**
Program income consisting of: q. Disbursed program income shown on lines c and/or g above	0.00	0.00	**0.00**
r. Disbursed program income using the addition alternative	0.00	0.00	**0.00**
s. Undisbursed program income	0.00	0.00	**0.00**
t. Total program income realized (Sum of lines q, r, and s)	0.00	0.00	**0.00**

11. Indirect Expenses	a. Type of Rate (Place "X" in appropriate box) ___ **Provisional** ___ **Predetermined** ___ **Final** ___ **Fixed**			
	b. Rate	c. Base	d. Total Amount	e. Federal Share

12. Remarks: *Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation*

13. Certification: **I certify to the best of my knowledge and belief that this report is correct and complete and that all outlays and unliquidated obligations are for the purposes set forth in the award documents.**

Typed or Printed Name and Title **Alvin A. Jaeger, North Dakota Secretary of State**	Telephone (area code, number and extension) **701-328-2900**
Signature of Authorized Certifying Official	Date Report Submitted March 9, 2005

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Standard Form 269 (Rev. 7-97)
Prescribed by OMB Circulars A-102 and A-110

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State of North Dakota, Al Jaeger, Secretary of State, February 25, 2005

NARRATIVE REPORT, CALENDAR YEAR 2004

TITLE 1, SECTION 101

*[Note: The State of North Dakota is **exempt** from voter registration and provisional voting.]*

(b) USE OF PAYMENT:

(1) IN GENERAL: A State shall use the funds provided under a payment made under this section to carry out one or more of the following activities:

(A) Complying with the requirements under title III.
(B) Improving the administration of elections for Federal office.
(C) Educating voters concerning voting procedures, voting rights, and voting technology.
(D) Training election officials, poll workers, and election volunteers.
(E) Developing the State Plan for requirements payments to be submitted under part 1 of subtitle D of title II.
(F) Improving, acquiring, leasing, modifying, or replacing voting systems and technology and methods for casting and counting votes.
(G) Improving the accessibility and quantity of polling places, including providing physical access for individuals with disabilities, providing non-visual access for individuals with visual impairments, and providing assistance to Native Americans, Alaska Native citizens, and to individuals with limited proficiency in the English language.
(H) Establishing toll-free telephone hotlines that voters may use to report possible voting fraud and voting rights violations, to obtain general election information, and to access detailed automated information on their own voter registration status, specific polling place locations, and other relevant information.

(A) Complying with the requirements under title III.

RELATED EXPENDITURES:

Voting System Upgrades $2,004,312.48
Voting Information..... $ 10,672.51

The requirements of Title III include:

- Equipment that meets voting systems standards;
- Provisional voting; *
- Voting information;
- Statewide voter registration list; *
- Voters who register by mail. *

* In its use of Title I, Section 101 funds for Title III purposes, *North Dakota is exempt from the requirements for voter registration and provisional voting.*

Voting System Upgrades

Under the direction of its State Planning Committee and through research and direct involvement of representatives of the state's disabilities community and local election officials, the State of North Dakota entered into a contract for a new voting system. This voting system provides both second chance voting and independent and private voting for persons with disabilities in every polling place in the state. The contracted vendor is Election Systems and Software, Inc. (ES&S). The following units were either delivered in 2004 or will be delivered during 2005:

Model 100 Optical Scanner*	600 (approximately)
AutoMARK Ballot Marking Device**	600 (approximately)

**Over half of the Model 100's were delivered to and used in 28 of the state's 53 counties during the 2004 election cycle.*
***Pending national and state certification, alternative option is iVotronic touch-screen device.*

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Voting Information

Voting information, including posters for polling places and other handouts, were created and distributed statewide. Among the information contained in the posters was legal information about the voting process in North Dakota, the North Dakota Voter's Bill of Rights, North Dakota Identification options, the toll-free number identified and defined under Section H of this report, information on how to file a grievance under Title III, instructions on how to properly fill out a ballot, instructions on how to submit a ballot, information on second-chance voting options, and a statement declaring no eligible voter will be denied their right to vote.

Relationship to State Plan: These goals and implementation processes match and were specifically outlined in the State Plan.

(B) Improving the administration of elections for Federal office.

RELATED EXPENDITURES:

Administrative Expenses	$ 107,825.18
Central Voter File	$ 51.43

Administrative Expenses

Shortly after the 2003 Legislative Assembly adopted the applicable law changes prompted by HAVA, the Secretary of State executed an agreement with the North Dakota Association of Counties (NDACo) to assist in the administration, coordination, and facilitation of the implementation of HAVA in North Dakota.

Under the agreement and with the approval of the Secretary of State, NDACo hired an individual to be the statewide HAVA coordinator. The coordinator works with federal, state, and local officials; the disabilities community; education systems; tribal entities; civic groups; and other individuals and organizations interested in the development and implementation of HAVA compliant election practices in North Dakota.

In addition, NDACo supports the HAVA implementation through its 30 employees located in seven regional offices. It also provides county governments with support for automations (technology); help with workforce safety issues; administers multiple federal grants directly affecting counties (i.e., Juvenile Justice, Homeland Security, Cellular 911, HIPPA, etc.); assists county commissioner boards; and delivers other services requested by counties. Services provided in addition to the HAVA coordinator under the HAVA agreement include but are not limited to support staff, creative staff, technology staff, and business management staff.

The expenditures made to the NDACo cover salaries and overhead (e.g., office space, staff support, supplies, travel, and meeting expenses).

Central Voter File

The 2003 Legislative Assembly adopted legislation authorizing the Secretary of State to create and implement a statewide database known as the Central Voter File (CVF). The CVF is for the accumulation of the poll books from the state's 53 counties into a "super poll book" as a record of individuals *who have* voted. It is not a record of who can vote and is not a pre-qualifier of an elector's eligibility since an elector's name does not need to appear in the poll book before being qualified to vote.

Rather, it is an election related administrative tool allowing counties, regardless of technical capabilities, to pre-print poll books for each election, which would contain voter information gathered from previous elections. On election day, the pre-printed poll book increases poll worker efficiency and accuracy while shortening the time a voter must wait for his or her ballot. Post election, it will be used by state and county election officials to identify voter fraud. To set up the CVF, the Secretary of State appointed a statewide committee, which began work on the project in October of 2004. Therefore, only minimal expense was incurred in 2004.

Relationship to State Plan: The committee that created the State Plan and the Secretary of State believe that these contractual arrangements and projects are fundamental to the improvement of election administration and in keeping with the goals of Section 101 in Title I.

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(C) Educating voters concerning voting procedures, voting rights, and voting technology.

RELATED EXPENDITURES:

Education Campaign (Voter ID)	$147,920.40
Bookmarks/Handouts	$ 2,846.53
Education Grants	
United Tribes	$ 53,062.10
Literacy Leadership	$ 3,100.00
Miscellaneous Education Outlets	$ 3,824.63
Studio One	
Declare Yourself (HS)	
High School Presentations	
University of North Dakota Residence Halls	

Education Campaign (Voter Identification)

Although these expenditures could also be related to the improvement of election administration since the ID requirement was new to North Dakota voters, it was decided they were more appropriately related to the education for voters and poll workers. The Education Committee, appointed by the Secretary of State, decided it was imperative to "get the word out" about the new ID requirements for voters. A statewide campaign was developed featuring outdoor advertising (billboards), radio, and advertisements appearing in every daily and weekly newspaper in the state. The educational campaign was conducted prior to both the June and November elections. The project was deemed successful when county election officials reported well over 80% of the voters on election day arrived at the polls prepared to provide one of the acceptable forms of ID, as determined by state law and the Secretary of State.

Bookmarks/Handouts

One of the goals of the Education Committee was to create information in formats easily distributed and usable statewide. One initiative was to create a bookmark that contained pertinent voter information on both sides that could be given to voters of all ages. On one side, the bookmark listed the various acceptable forms of ID, along with poll worker voucher options and voter's right to execute an affidavit. The reverse side listed the North Dakota Voter's Bill of Rights. The bookmarks were distributed statewide by county officials (at banks, grocery stores, post offices, etc), at public events by civic groups (League of Women Voters, Homemaker's Clubs, Civic Clubs, etc), and door to door by students and volunteers enrolled in tribal colleges or living on reservations. Additionally, enlarged full-page handouts with the same information in larger text were available as an alternative format for persons with visual impairments.

Education Grants

To diversify the education efforts and reach as many citizens in as many different venues as possible, the Secretary of State made it known that organizations could apply for grants to assist with the education process. Two grant applications were received and approved.

A. The United Tribes Technical College (UTTC), which is a multi-tribal higher education facility in Bismarck, North Dakota, applied for a grant to provide voter education to the state's four tribal sovereign nations and related service areas, and to urban areas with high off-reservation native populations. The Education Committee was concerned that its mainstream efforts were not adequately addressing native populations in the state. Therefore, in cooperation with the Education Committee, the grant awarded to UTTC was invaluable, as they became the umbrella facilitator for four other tribal colleges to provide voter education in the target areas. The effort included door-to-door voter education, distribution of materials, creation of a native voter video

(used in North Dakota and also in South Dakota and Montana), announcements on tribal radio, print advertisements in tribal publications, and in conducting voter education forums.

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B. The Literacy Leadership applied for a grant to provide education statewide for students on voting processes, rights, and requirements. In cooperation with the Education Committee, they, along with two other publishers, distributed a *"Declare Yourself Voter's Guide"* to all of the state's institutions of higher education (public, private and tribal) and all of the state's high schools. Cooperating in the effort were daily newspapers, *The Bismarck Tribune, The Grand Forks Herald* and *The Forum* in Fargo. The respective publishers absorbed most of the expenses related to the printing and distribution through their Newspapers in Education program. Information included in the guide was historic information about voting, contact information for every state election office, registration deadlines for all states (even though North Dakota does not have voter registration), information for all states regarding absentee voting, and other election related information.

Miscellaneous Education Outlets

In addition to the efforts of the Education Committee and grantees, the state's HAVA coordinator, county election officials, and the Secretary of State made voter education presentations throughout the state (county expenses were not reimbursed with HAVA funds). The venues included high school classes, Studio One (public news program), and civic groups (Lions, Rotaries, Kiwanis, student governments, quilting guilds, car clubs, etc). Cass County (the state's largest population county) provided voter information on an electronic kiosk in the region's largest shopping mall where a voter could enter his or her address to find their polling location and obtain other election related information. Other counties had similar polling location finders on their websites. Under the State Plan, the Secretary of State is intending to provide that service statewide by 2006.

Relationship to State Plan: All the above efforts were consistent with the State Plan, which suggests multiple, but non-limiting, options for voter education which included cooperative work with youth, persons with disabilities, tribal entities, and providing public demonstrations as potential venues for voter education efforts.

(D) Training election officials, poll workers, and election volunteers.

RELATED EXPENDITURES:

Election official training	$ 21,593.24
Poll worker training	$ 1,622.37
Poll worker materials	$ 1,634.70
Election volunteers training	$ 0.00

Election official training

To ensure that County election officials had a full understanding of HAVA requirements and effects the changes would have on their election administration practices, numerous statewide meetings were held. In addition to training and related discussions, County election officials were given the opportunity to provide input and assist in determining compliance implementation strategy. They also received hands on training with the new voting system and were provided sensitivity training for assisting persons with disabilities.

Poll worker training

Under North Dakota election law, County Auditors (a county's designated chief election official), in cooperation with their respective state's attorney, conduct poll worker training. To ensure continuity in instruction and to assist county officials with their election schools, training DVD's and CD's were created and distributed for both the primary and general elections. The DVD's and CD's contained demonstrations on how to properly use the new voting equipment, general conduct of elections during the day, ID requirements, and working with persons with disabilities. Additionally, a full color flow-chart was

designed and distributed as a guide to poll workers to demonstrate the equitable application of the state's new ID requirements.

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Poll worker materials

To aid poll workers in serving voters, materials were created and distributed statewide to all polling sites. Included were flow charts, outlining step-by-step the process to take when requesting identification from a person offering to vote and the information necessary to be entered and updated in the poll books. Additionally, poll workers were provided with buttons to wear, stating, "Ask me, I can help", which help voters identify poll workers and invite voters to approach poll workers for assistance when needed.

Volunteers

Traditionally, volunteers are not utilized in North Dakota's polling places. For those counties using volunteers, the training and materials provided are commensurate with poll worker training.

Relationship to State Plan: The State Plan suggests multiple, but non-limiting, options for election official and poll worker training including a standardized training program to county election officials to use during poll worker training and creating and implementing training videos and compact discs to be made available to all election officials.

(E) Developing State Plan for requirement payments under part 1 of subtitle D of title III.

RELATED EXPENDITURES:
Miscellaneous Expenses ..... $ 330.76

Miscellaneous Expenses

Following submission in 2003 of the State Plan as required by HAVA, several minor adjustments to the initial planned budget and planned implementation of new voting equipment were made for 2004. Most of discussion among the members of the State Planning Committee happened via email, with one in-person statewide meeting held in August 2004. At that meeting, they adopted a revised version of the plan to be submitted for public review and comment. The expenditures made were incurred for postage, publication expenses, and mileage for members to attend the August meeting. After the public comment period ended, the revised portions of the initial State Plan were submitted to the Election Assistance Commission in November 2004 for publication in the Federal Register.

(F) Improving, acquiring, leasing, modifying, or replacing voting systems and technology and methods for casting and counting votes.

RELATED EXPENDITURES:
None ..... $ 0.00

Please see (A).

(G) Improving the accessibility and quantity of polling places, including providing physical access for individuals with disabilities, providing non-visual access for individuals with visual impairments, and providing assistance to Native Americans, Alaska Native citizens, and to individuals with limited proficiency in the English language.

RELATED EXPENDITURES:
Braille transcription $1,145.97

Many improvements for accessibility have been made and are continuing to be made to elections in North Dakota. Most of the efforts related to polling site improvements are reported and happening under Title II, section 261. Nevertheless, under Title I, section 101, all election related information posted in polling places were made available in Braille at those polling sites identified by the North Dakota Vision

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Services/School for the Blind as serving persons who read Braille. In addition, at least one Braille copy was made available in the office of each county auditor. Additionally, all polling places provided sheet magnifiers to anyone requesting it. Through the Education Committee, the state has also partnered with over 60 organizations and groups to provide election related information in their meetings and newsletters. The State Library's Radio Reading Service also recorded election related information and made it available (on tape and via telephone) to those persons who use their services.

Throughout the HAVA process, the Secretary of State and County Election officials have collaborated with the North Dakota Protection and Advocacy Project, North Dakota Advocacy Consortium, Centers for Independent Living, the North Dakota Association for the Blind, and other advocacy groups. Through these groups and others, information has been made available and distributed about elections, voter's rights, the grievance procedure, numbers to call for assistance, concern or complaint; and ID requirements.

Relationship with State Plan: The State Plan specifically identifies accessibility improvement as a performance goal and the making of voting information available in alternative formats as key to successfully improving access to elections.

(H) Establishing toll-free telephone hotlines that voters may use to report possible voting fraud and voting rights violations, to obtain general election information, and to access detailed automated information on their own voter registration status, specific polling place locations, and other relevant information.

RELATED EXPENDITURES:

None ..... $ 0.00

The Secretary of State's office already had a toll-free telephone number available to voters to call for any question, concern, or complaint they may have. Additionally, the number was posted conspicuously in every polling place and is available from each one of the state's 53 County Auditors and the North Dakota Protection and Advocacy Project's eight regional offices located throughout the state.

Relationship to State Plan: This requirement was not addressed in the State Plan as the State Planning Committee felt it had already been addressed through the existing structure.

"Silrum, James" <jsilrum@state.nd.us>
03/18/2005 03:26 PM

To psims@eac.gov
cc
bcc
Subject RE: A question for you about the Title I report

FILE COPY

Dear Peggy Sims,

Just a note to let you know that the amount of $19,341.20 on line 10 o of North Dakota's 2004 Section 101 Report in column II is the interest we earned on that money during 2004.

Thanks for your help.

Jim Silrum
Deputy Secretary of State
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