ALVIN A. JAEGER
SECRETARY OF STATE

HOME PAGE www.state.nd.us/sec

PHONE (701) 328-2900
FAX (701) 328-2992
E-MAIL sos@state.nd.us

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BY:

SECRETARY OF STATE

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

March 21, 2005

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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 federal fiscal year, is the narrative and financial report for the State of North Dakota regarding our expenditure of funds received under Title II, Section 251, 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

A32405.838

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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 **HAVA Section 251 Requirements Payment**	OMB Approval No. 0348-0039	Page 1 of 3 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 **G1894**	6. Final Report ___ Yes _X_ No	7. Basis _X_ Cash ___ Accrual

8. Funding Grant Period (*See instructions*) From: (Month, Day, Year) **7/16/04** To (Month, Day, Year) **Undetermined**	9. Period Covered by This Report From: (Month, Day, Year) **October 1, 2003** To: (Month, Day, Year) **September 30, 2004**

10. Transactions:	I Previously Reported	II This Period	III Cumulative
a. Total outlays	0.00	0.00	0.00
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)	0.00	0.00	0.00
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)	0.00	0.00	0.00
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)	0.00	0.00	0.00
o. Total Federal funds authorized for this funding period	0.00	4,154,906.09	4,154,906.09
p. Unobligated balance of Federal funds (Line o minus line n)			4,154,906.09
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*

Line 10 o includes $4,906.09 earned in interest from the time we received the $4,150,000.00 on July 16, 2004 until the end of the federal fiscal year on September 30, 2004.

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 21, 2005**

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State of North Dakota, Al Jaeger, Secretary of State, March 21, 2005

NARRATIVE REPORT, CALENDAR YEAR 2004

TITLE 2, SECTION 251

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

(b) USE OF FUNDS.-

(1) IN GENERAL.- Except as provided in paragraph (2), a State receiving a requirements payment shall use the payment only to meet the requirements of Title III.

(2) OTHER ACTIVITIES.- A State may use a requirements payment to carry out other activities to improve the administration of elections for Federal office if the State certifies to the Commission that -

(A) The State has implemented the requirements of Title III; or

(B) The amount expended with respect to such other activities does not exceed an amount equal to the minimum payment amount applicable to the State under section 252(c).

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 II, Section 251 funds for Title III purposes, *North Dakota is exempt from the requirements for voter registration and provisional voting.*

RELATED EXPENDITURES: NONE*

** All expenditures for new voting equipment and voting information have, to date, been made under Title I, Section 101.*

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 Titie 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.