



Dear North Dakota Uniformed Service Members and Family Members Stationed away from home,

Hello, I'm Al Jaeger, North Dakota's Secretary of State and the state's chief election official.

Elections allow us to exercise one of our most fundamental rights – the right to vote. Elections give us a voice in our state and national politics, they encourage us to take an active interest in our schools and neighborhoods, and permit us to speak out on issues and causes of interest and importance.

In North Dakota, voting is made very easy through absentee voting. Voting is especially accessible in North Dakota since voters are not required to register before voting.

I encourage uniformed service members to take advantage of the ease of voting in North Dakota during this election year!

Al Jaeger
North Dakota Secretary of State

Voter Qualifications

In order to vote in North Dakota, you must be:

- A U.S. citizen;
- At least 18 years old on the day of election;
- A resident of North Dakota; and
- A resident in the precinct for 30 days preceding the election.

Please note that a citizen of the United States who is eighteen years of age or older, has never lived in the United States, and whose parent is a qualified elector of the state may vote absentee in this state for federal offices provided this individual has not registered to vote in any other state or territory of the U.S.

Determining Residence

Voting residence can be summed up simply by the following excerpt from an opinion issued by the North Dakota Attorney General in May of 1995. The opinion states, "The act of voting does not make a person a resident [of North Dakota]. Rather, a person must be a resident prior to voting."

For the purpose of voting, the term residence and voting residence are the same in North Dakota. Every person has a residence. In determining residence, the following rules must be observed.

- A person's residence is the place where one remains when not called elsewhere for labor or other special or temporary purpose, and to which he or she returns in seasons of repose;
- A person can only have one residence;
- A person's residence cannot be lost until another is gained;
- A person's residence can be changed only by the union of act and intent.

[Section 54-01-26 of the North Dakota Century Code]

The law also says that an individual does not lose a voting residence by temporary assignment away from home.

North Dakota...The Only State Without Voter Registration

North Dakota is the only state without voter registration. Therefore, North Dakota voters have no registration requirements prior to voting.

Voting Still an Option

Even though duty calls many uniformed service members away from their home, their state of North Dakota, and sometimes their country, the right to vote is not diminished. It may be a greater challenge for the voter because the distances separating these individuals from their homes requires the use of the absentee voting process.

In 1991, North Dakota lawmakers gave uniformed service members and their family stationed outside the United States the option to receive ballots and return voted ballots by fax. In 2005, North Dakota lawmakers broadened the laws to allow uniformed service members stationed anywhere away from home to receive voting materials by fax or email in order to speed delivery of these important documents to the residents of the state living far from home and often on the move. It was also determined that, as a last resort, voted ballots may be returned by these same methods provided the voter has access to the necessary technology required to do so. The preferable means of returning voted ballots is still, however, through the mail.

Uniformed service members who have been stationed away from North Dakota so long that their children, who have never lived in North Dakota, have grown to the age of qualified electors, may wonder about their voting rights. These children are granted the right to vote for North Dakota federal offices by virtue of their parent's elector status.

Challenging Voters

In keeping with the federal laws of Uniformed and Overseas Citizens Absentee Voting Act and the Help America Vote Act, North Dakota election officials are required to notify uniformed service members and citizens living outside the United States whose absentee ballot application is denied. A reason for the denial is required and may be according to any of the following:

1. The individual offering to vote does not meet the citizenship requirements.
2. The individual offering to vote is not a legal resident of the state of North Dakota.
3. The individual offering to vote is not a resident of the county to which the application was sent.
4. The individual offering to vote is not old enough.
5. The individual offering to vote is currently under sentence for a felony conviction.

A voter does not lose the right to vote in North Dakota by virtue of being stationed or temporarily living away from the state even if a physical residence is not maintained. A voter maintains their voting residence at their most recent North Dakota address until the voter establishes a new voting residence elsewhere. A new voting address is established in another state by registering to vote.

It should be noted that falsely swearing to be a qualified elector is a class A misdemeanor and carries a maximum penalty of one-year imprisonment, a fine of \$2,000, or both.

The challenge process is not intended to be threatening or a form of intimidation. Rather, the challenge process is a normal component of the election process in North Dakota. Without voter registration, the challenge process is the only safeguard election boards can rely upon to screen persons wishing to vote in North Dakota.

Voting Absentee in North Dakota

Absentee ballots are available to qualified electors wishing to vote absentee prior to the date of the election.

Absentee ballot applications may be found at the following web site: <http://www.nd.gov/sos/electvote/voting/voting-absentee.html> (please be sure to select the application for Uniformed Service Members or ND Resident Living Outside the U.S. Election officials of the county, city, or school district may also furnish absentee ballot applications to qualified electors. Application may also be made by providing the following information to the proper election official:

- the applicant's name;
- the applicant's current or most recent ND residential address;
- the applicant's mailing address;
- the applicant's current home telephone number;
- the election for which the ballot is being requested;
- the date of the request;
- an affirmation that the applicant has resided in the precinct for at least thirty days;
- the applicant's signature.
- voter's precinct or voting location if known
- the applicants birth date and year
- the applicant's motor vehicle operator's license or nondriver identification number, if available
- voter's fax number (if voting materials are to be sent using this manner of transmission)
- voter's email address (if voting materials are to be sent using this manner of transmission)

Qualified electors are not required to provide a reason for requesting an absent voter's ballot.

Applications for absentee ballots may be delivered to the appropriate county auditor by mail, in person, or by fax. Uniformed service members stationed away from home and citizens living outside the United States may also receive and return voted ballots by fax and email according to North Dakota law. For more information, please consult with your voting assistance officer, the Secretary of State's office, or your county auditor.

According to North Dakota law, absentee ballots are to be made available by the 40th day before the election. Returned absentee ballots must have an official postmark or date stamp by the day before the election.

Sources and Contacts for Military Voters

Uniformed service members stationed away from home who have questions about voting have many resources to look to for guidance.

Voting Assistance Officers

The best and most accessible resource concerning voting is the voting assistance officers assigned to each unit or base. These individuals are trained to respond to the many voting and residency related questions that arise.

Federal Voting Assistance Program

Toll Free 800-438-8683
Web Site www.fvap.gov
E-mail vote@fvap.ncr.gov

The Federal Voting Assistance Program (FVAP) administered by the Secretary of Defense has three distinct goals. These are to:

1. Inform and educate United States citizens worldwide of their right to vote;
2. Foster voting participation; and
3. Protect the integrity of, and simultaneously enhance, the electoral process at the Federal, State and local levels.

The FVAP web site contains helpful information on voting procedures in the various states and includes voter registration and absentee voting deadlines and forms for military personnel to complete and return.

North Dakota Secretary of State, Elections Division

Toll Free 800-352-0867 ext. 8-4146
Web Site www.nd.gov/sos
E-mail soselect@nd.gov

The North Dakota Secretary of State serves as North Dakota's chief election official. The Elections Division is ultimately responsible for carrying out and overseeing election laws and procedures throughout the state and its various political subdivisions.

As with the FVAP, the North Dakota Secretary of State's office also maintains a web site containing valuable information for voters, candidates, and the general public. The site also includes contact information for the state's 53 county election officials (County Auditors) along with absentee ballot applications and other useful election related pamphlets and forms applicable to North Dakota.

North Dakota's County Auditors

North Dakota's 53 county auditors serve as the chief election officials of the various counties. For the most part, these are the officials to whom you apply for and receive absentee ballots. Contact information for North Dakota's county auditors may be obtained from the following pages of this document, the Secretary of State's office at 800-352-0867 or the Secretary of State's web site www.nd.gov/sos/electvote/voting/index.html.

How to Vote by Absentee Ballot

Whether you are stationed within the United States or overseas, voting by absentee ballot involves extra time. For this reason, please request your ballot as soon as you know that you will need to vote absentee. Absentee ballot applications may be made at any time during an election year and voters may request absentee ballots for all elections during that year. Therefore it is best to apply early.

Stationed and Living at Home in North Dakota

1. An absentee ballot application is available at the following site www.nd.gov/sos/electvote/voting/voting-absentee.html.
2. Send this application either by mail or fax to your county auditor. (ND county auditor contact information is included with this document. Please see next page.)

Stationed Away from Home

North Dakota uniformed service members stationed away from home or residents living outside the United States will find a specific absentee ballot application form at the following web site address www.nd.gov/sos/electvote/voting/voting-absentee.html. This form allows the election official to deliver voting materials to qualified electors by mail, fax, or electronic mail. This method considerably reduces the time required to deliver and return ballots to voters in remote areas of the world.

Please note that the signature on the absentee ballot application will be compared with the signature accompanying the returned voted ballot as a voter security measure.

Free Postage!

Absentee ballots to and from uniformed service members stationed away from home and ND residents living outside the U.S. will be delivered free of postage costs provided the letter is deposited within the United States mail system. Instructions will be provided with voting materials delivered from the county auditor. Additional information can also be found at the FVAP web site www.fvap.gov.

ND County Auditor's Contact Information

The following is a listing of our 53 county auditors and their contact information. They want to help you to have a voice in government.

(see next page)

Adams County Auditor
602 Adams Ave
Box 589
Hettinger ND 58639-0589
701-567-4363 - phone
701-567-2910 - fax
pcarroll@state.nd.us

Barnes County Auditor
230 4th Street NW, Room 202
Valley City ND 58072-2947
701-845-8500 - phone
701-845-8548 - fax
emcough@co.barnes.nd.us

Benson County Auditor
311 B Ave S
Box 206
Minnewaukan ND 58351-0206
701-473-5340 - phone
701-473-5571 - fax
bserrickson@state.nd.us

Billings County Auditor
Box 168
Medora ND 58645-0168
701-623-4377 - phone
701-623-4761 - fax
jjurgens@nd.gov

Bottineau County Auditor
314 W 5th Street
Bottineau ND 58318-1204
701-228-2225 - phone
701-228-5181 - fax
mstreich@nd.gov

Bowman County Auditor
104 1st St NW, Ste 1
Bowman ND 58623-0439
701-523-3130 - phone
701-523-4899 - fax
stivis@state.nd.us

Burke County Auditor
103 Main St SE
PO Box 310
Bowbells ND 58721-0310
701-377-2861 - phone
701-377-2020 - fax
tbaumann@nd.gov

Burleigh County Auditor
221 N 5th St
PO Box 5518
Bismarck ND 58506-5518
701-222-6718 - phone
701-222-7528 - fax
kqlatt@nd.gov

Cass County Auditor
211 9th St S
PO Box 2806
Fargo ND 58108-2806
701-241-5601 - phone
701-241-5728 - fax
montplaisirm@casscountynnd.gov

Cavalier County Auditor
901 3rd Street, Ste 15
Langdon ND 58249-2457
701-256-2229 - phone
701-256-2546 - fax
droppel@nd.gov

Dickey County Auditor
309 N 2nd St
Box 215
Ellendale ND 58436-0215
701-349-3249 ext. 3 - phone
701-349-4639 - fax
bkuska@nd.gov

Divide County Auditor
PO Box 49
Crosby ND 58730-0049
701-965-6351 - phone
701-965-4370 - fax
gjastrze@nd.gov

Dunn County Auditor
PO Box 105
Manning ND 58642-0105
701-573-4448 - phone
701-573-4323 - fax
rehauck@nd.gov

Eddy County Auditor
524 Central Avenue
New Rockford ND 58356-1698
701-947-2434 ext. 2020 - phone
701-947-2279 - fax
mripplin@nd.gov

Emmons County Auditor
PO Box 129
Linton ND 58552-0129
701-254-4807 - phone
701-254-4012 - fax
mohlhauser@nd.gov

Foster County Auditor
474 10th Ave N
Box 104
Carrington ND 58421-0104
701-652-2441 - phone
701-652-2173 - fax
rschlotm@nd.gov

Golden Valley County Auditor
Box 67
Beach ND 58621-0067
701-872-4331 - phone
701-872-4383 - fax
cstedman@midstate.net

Grand Forks County Auditor
151 S 4th
PO Box 5726
Grand Forks ND 58206-5726
701-780-8201 - phone
701-780-8207 - fax
debbie.nelson@gfcounty.com

Grant County Auditor
Courthouse
Box 227
Carson ND 58529-0227
701-622-3275 - phone
701-622-3005 - fax
kbachmeier@nd.gov

Griggs County Auditor
808 Rollin Ave SW
Box 511
Cooperstown ND 58425-0511
701-797-3117 - phone
701-797-3587 - fax
cindy.anton@griggsnd.com

Hettinger County Auditor
Box 668
Mott ND 58646-0668
701-824-2515 - phone
701-824-2717 - fax
rsteiner@nd.gov

Kidder County Auditor
120 E Broadway
PO Box 167
Steele ND 58482-0167
701-475-2632 - phone
701-475-2202 - fax
rgraf@nd.gov

LaMoure County Auditor
Box 128
Lamoure ND 58458-0128
701-883-5301 ext. 203 - phone
701-883-4220 - fax
mjohnso@nd.gov

Logan County Auditor
301 Broadway
Napoleon ND 58561-7010
701-754-2425 - phone
701-754-2280 - fax
baschuma@nd.gov

McHenry County Auditor
407 S Main, Rm 201
Townner ND 58788-0147
701-537-5724 - phone
701-537-5969 - fax
dcarpenter@nd.gov

McIntosh County Auditor
PO Box 39
Ashley ND 58413-0039
701-288-3347 - phone
701-288-3671 - fax
gketterl@nd.gov

McKenzie County Auditor
201 5th St W
Box 543
Wattford City ND 58854-0543
701-444-3616 ext. 132 - phone
701-444-4113 - fax
folson@co.mckenzie.nd.us

McLean County Auditor
PO Box 1108
Washburn ND 58577-1108
701-462-8541 - phone
701-462-3542 - fax
lkorgel@nd.gov

Mercer County Auditor
1021 Arthur St
PO Box 39
Stanton ND 58571-0039
701-745-3292 - phone
701-745-3793 - fax
merhardt@nd.gov

Morton County Auditor
210 2nd Avenue NW
Mandan ND 58554-3158
701-667-3300 - phone
701-667-3453 - fax
ptrauger@nd.gov

Mountrail County Auditor
PO Box 69
Stanley ND 58784-0069
701-628-2145 - phone
701-628-2276 - fax
joanh@co.mountrail.nd.us

Nelson County Auditor
210 B Ave W, Ste 201
Lakota ND 58344-7410
701-247-2463 - phone
701-247-2754 - fax
wdavidso@nd.gov

Oliver County Auditor
115 West Main
Box 188
Center ND 58530-0188
701-794-8721 - phone
701-794-3476 - fax
b Fleming@nd.gov

Pembina County Auditor
301 Dakota Street West #1
Cavalier ND 58220-4100
701-265-4231 - phone
701-265-4876 - fax
drobinso@nd.gov

Pierce County Auditor
240 SE 2nd Street – Ste. 6
Rugby ND 58368-1897
701-776-5225 - phone
701-776-6942 - fax
kfursath@nd.gov

Ramsey County Auditor
524 4th Avenue NE Unit 6
Devils Lake ND 58301
701-662-7007 - phone
701-662-7049 - fax
befische@nd.gov

Ransom County Auditor
PO Box 668
Lisbon ND 58054-0668
701-683-6113 - phone
701-683-5827 - fax
cqilbert@nd.gov

Renville County Auditor
PO Box 68
Mohall ND 58761-0068
701-756-6301 - phone
701-756-7158 - fax
lfisher@nd.gov

Richland County Auditor
418 2nd Avenue N
Wahpeton ND 58075-4400
701-642-7700 - phone
701-642-7701 - fax
hbailey@co.richland.nd.us

Rolette County Auditor
Box 939
Rolla ND 58367-0939
701-477-5665 - phone
701-477-6339 - fax
vmcloud@nd.gov

Sargent County Auditor
355 Main St S, Ste 1
Forman ND 58032-0177
701-724-6241 ext. 101 - phone
701-724-6244 - fax
shosford@nd.gov

Sheridan County Auditor
Box 439
McClusky ND 58463-0439
701-363-2205 - phone
701-363-2953 - fax
smurray@nd.gov

Sioux County Auditor
Box L
Fort Yates ND 58538-0529
701-854-3481 - phone
701-854-3854 - fax
bhettich@nd.gov

Slope County Auditor
Box NN
Amidon ND 58620-0449
701-879-6276 - phone
701-879-6278 - fax
luzalsky@nd.gov

Stark County Auditor
Box 130
Dickinson ND 58602-0130
701-456-7630 - phone
701-456-7634 - fax
aschulz@nd.gov

Steele County Auditor
Box 275
Finley ND 58230-0275
701-524-2110 - phone
701-524-1715 - fax
leadbet@nd.gov

Stutsman County Auditor
511 2nd Avenue SE
Jamestown ND 58401-4299
701-252-9035 - phone
701-251-6325 - fax
nojohnso@nd.gov

Towner County Auditor
315 2nd St
PO Box 603
Cando ND 58324-0603
701-968-4340 - phone
701-968-4342 - fax
kmhaugen@nd.gov

Traill County Auditor
114 W Caledonia
Box 429
Hillsboro ND 58045-0429
701-636-4458 - phone
701-636-5418 - fax
rbraaten@co.traill.nd.us

Walsh County Auditor
600 Cooper Avenue
Grafton ND 58237-1535
701-352-2851 - phone
701-352-3340 - fax
skinsala@nd.gov

Ward County Auditor
315 3rd Street SE
PO Box 5005
Minot ND 58702-5005
701-857-6420 - phone
701-857-6424 - fax
Devra.Smestad@co.ward.nd.us

Wells County Auditor
700 Railway St N
PO Box 37
Fessenden ND 58438-0037
701-547-3521 - phone
701-547-3719 - fax
irudel@nd.gov

Williams County Auditor
205 E Broadway
Box 2047
Williston ND 58802-2047
701-577-4500 - phone
701-577-4510 - fax
bethi@co.williams.nd.us

North Dakota Secretary of State
Al Jaeger
600 East Boulevard Avenue Dept. 108
Bismarck ND 58505-0500

Elections Division
800-352-0867 ext. 4146
www.nd.gov/sos/electvote
soselect@nd.gov