

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

November 18, 2021

Shane Anderson  
Recall Chairman  
Sponsoring Committee  
206 6th Avenue NE  
Valley City ND 58072-3151

Dear Mr. Anderson,

In a letter dated July 19, 2021, I approved the petition format to recall Dwight Kiefert, State Representative, District 24. That approval authorized the Sponsoring Committee to begin circulating petitions to secure signatures to require the calling of a special recall election. I now rescind my previous approval for the following reasons.

During the recent Special Session of the 67th Legislative Assembly, HB 1504, the legislative redistricting bill was adopted. The Governor signed the bill on November 11, 2021, and it was filed with my office on November 12, 2021, at which time it became law.

According to Section 2, subsection 3(d) of HB 1504, "The term of office of a representative elected in 2020 from an even-numbered district who as a result of redistricting is placed in an even-numbered district with more than one other representative elected in 2020 from an even-numbered district terminates December 1, 2022, and two representatives must be elected from that district in 2022 for a term of two years."

Therefore, as stated, the term of office for Representative Kiefert will terminate on December 1, 2022, and an election will be held for two Representatives in District 24 on November 8, 2022.

As a result, the following provisions of N.D.C.C. § 16.1-01-09.1(11) apply, "An official may not be recalled if the recall special election would occur within one year of the next regularly scheduled election in which the official could be re-elected."

Because an election for Legislative District 24 Representatives will be held within one year from today, Representative Kiefert may not be recalled from his current term of office.

Sincerely,

A handwritten signature in blue ink that reads "Alvin A. Jaeger".

Alvin A Jaeger  
Secretary of State

Cc Representative Dwight Kiefert  
Legislative Management Committee  
County Auditors – Barnes, Cass, Ransom