

Senate Political Subdivisions Committee

Senator Randy Burckhard, Chairman

Senator Howard Anderson, Vice-Chairman

March 18, 2021

Chairman Burckhard, Members of the Senate Political Subdivisions Committee:

My name is Keith Hunke and I am the City Administrator for the City of Bismarck.

I am providing written testimony on behalf of the City of Bismarck in opposition of House Bill 1165.

The Bismarck City Commission voted 4-1 at its January 26, 2021 City Commission meeting to oppose HB 1165.

Concern was expressed about extending voting rights to persons residing outside of Bismarck's corporate limits that would allowed them to vote on City matters that have no direct nexus to their residency in the extra territorial zoning district of the city. City budget issues, tax ordinances, and referral and initiation of ordinances are powers reserved for the citizens of Bismarck as defined in Bismarck's Home Rule Charter. Extra territorial residents do not pay city property taxes but by voting would have the ability to increase City taxes on our residents. There are also equal protection concerns about taxation on city residents without equal voting rights. The only City item the extra territorial residents are subject to is zoning. There is a County Commissioner and two ETA residents who do have representation on the Bismarck Planning and Zoning Board.

On behalf of the City of Bismarck, I urge you to give HB 1165 a DO NOT PASS recommendation.

Thank you for the opportunity to provide written testimony in opposition of House Bill 1165.

Keith J. Hunke, City Administrator

City of Bismarck

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