

Written Testimony To
Senate Political Subs
March 18, 2021
Donnell Preskey, NDACo

RE: Opposition to HB 1165

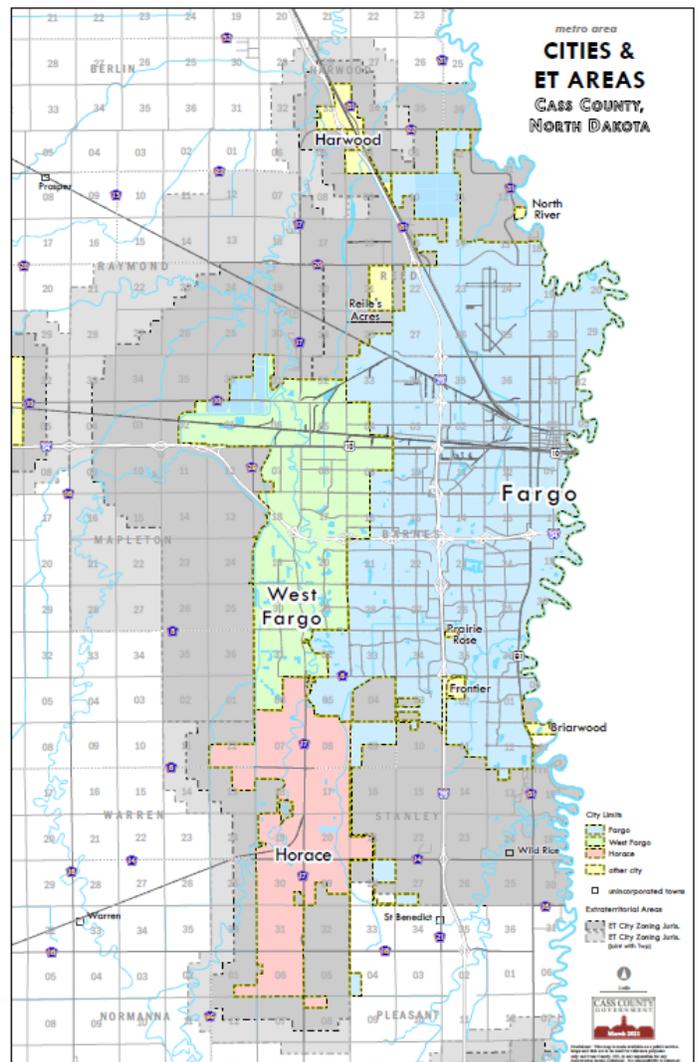
Mr. Chairman and committee members, I'm Donnell Preskey with the North Dakota Association of Counties. We are here today in opposition to HB 1165 which would allow residents who live in an extra territorial (ET) area of a city to vote in city elections.

This is a difficult issue as we agree with the premise behind HB 1165; residents of an ET area should have some say in a city government that affects them by zoning. Representation on the zoning board is a more appropriate resolution than allowing them to vote in city elections.

Allowing non-city residents to vote in city elections would also give them a vote on changes to a city's Home Rule Charter, tax issues, and municipal judge. It would also make running elections more difficult. Which is where most of our county auditors have weighed in – in opposition. There would need to be numerous ballot styles for cities depending on where they live. I have provided maps from Cass County. Each city in the county has some ET area on their border. Making sure that the residents get a ballot with city races, and not the city park district races, would be complicated.

In Cass County for example, eleven of the twenty-seven cities have the opportunity for appointment to their city zoning board. Of those, four have vacancies for rural residents, despite the County Commission's best efforts to recruit people from the ET areas for these city boards. Even on the Fargo Planning Board in which the county appoints three positions from the ET area, only one is filled, by a County Commissioner.

NDACo respectfully urges you to recommend a Do Not Pass on HB 1165.



CITIES & ET AREAS
CASS COUNTY, NORTH DAKOTA

- City Limits
 Fargo
 West Fargo
 Horace
 other city
- unincorporated towns

- Extraterritorial Areas
 ET City Zoning Jurisdiction
 ET City Zoning Jurisdiction (joint with twp)



Disclaimer: This map is made available as a public service. Maps and data are to be used for reference purposes only and are not intended to be used for any purpose that requires more detailed information. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use, or misuse of the information herein provided.

