

In Favor of HB 1482

Chairman Weber and members of the Senate Finance and Tax Committee,

HB 1482 looks to make changes to municipal elections. I am advocating that when elections seek to levy property taxes, they be decided on the primary or general election ballot.

An example from a recent Kindred School District bond measure:

I received a postcard in the mail informing me of an upcoming election on the 2nd Monday in October 2021. Public hearings were scheduled, but very little information was provided on the postcard regarding the plan. After some research, I discovered that while the bond was being sold to increase classroom space, that was only a small part of the plan. Additionally, there were plans for a High School Theater renovation, a middle-school weight room, and a new administrative office suite. The total cost was \$26.4 million. I know that doesn't buy much after 4 years of Bidenomics, but at the time, it was a significant increase in property taxes. And the previous bond measure hadn't even been paid off.

The election was held, and the bond passed with an underwhelming 538 votes.

The merits of the bond measure aside, the problem is that determining when to hold the vote is part of the strategy to ensure the measure passes. We have seen similar situations with the recent Fargodome expansion vote, West Fargo School District vote, etc.

An example from the recent Fargodome expansion vote:

I wrote a letter to the Fargo Forum agreeing with Commissioners Arlette Preston & John Strand when she argued against having the vote in December. I rarely agree with these individuals on anything, but in this instance, they were right and for the right reasons. Some in our state argue that requiring a photo ID is voter suppression. If that's the case, what is holding a vote at a time when the proponents believe fewer voters are engaged?

It's not unreasonable to regulate that municipal bond measure votes be held on the primary or general election ballot. This would help with the property tax debate because more voters would participate, creating awareness. At the same time, it would force local officials to keep their spending in check because someone may actually see what they are trying to slip by the voters.

An example from the recent West Fargo School District vote:

After failing the initial vote in September 2023, the West Fargo School District decided to try again and hold a new vote in February 2025. Both dates occurred in years without a primary or general election. For the February vote, the only polling locations were inside district

buildings. The only officials administering the election were also proponents of the measure passing. We should not allow for municipal elections to occur more frequently than elections for city, county, state, or federal officials.

The “local control” argument falls flat when local controllers attempt to manipulate the system. These bad faith actors can be recalled or voted out of office, and they should be, but in many cases, the damage is already done. As much as the election of the President, Governor, and most importantly, local legislators affect the lives of citizens, these bond measures have a direct impact on voters’ pocketbooks. We allow the same officials who put together the plan, determine polling locations, and set the election date to run the election and count the votes. Are we in California or Minnesota?

Having the county elections official administer the election alongside the general or primary allows voters to vote by absentee ballot, go to their regular polling locations, and feel confident in a process with necessary checks and balances.

I support this bill and ask for a “Do Pass” recommendation and encourage the Legislature to enact future legislation regulating local government elections in the voters' interests.

Respectfully,

Erik Nygren
Walcott, ND