



March 21, 2025

Senate State and Local Government

HB 1307

Senator Kristin Roers, Chair

For the record, I am Stephanie Dassinger Engebretson. I am the deputy director and attorney for the North Dakota League of Cities (NDLC). The NDLC opposes HB 1307. The bill was heavily amended in the House; however, the NDLC still has concerns about the bill in its current form.

The bill as currently written removes the ability for a city to use home rule authority to regulate local issues regarding elections and provides that any election related ordinances adopted using home rule authority is void. The bill appears to be aimed at one city where the residents circulated a petition and adopted amendments to their voting procedure to allow for approval voting in that city. There are several other individuals who have submitted testimony directly related to that situation so I will not cover that in depth, other than to say that HB 1297 will be heard in the Senate Judiciary Committee next week and that bill directly addresses approval and rank-choice voting as it relates to home rule authority.

In addition to that situation, this bill would limit other steps home rule cities can take related to addressing local concerns regarding elections. For example, some cities have considered decreasing the signature threshold for getting on the ballot. I am aware of other groups that have discussed modifying city elections in their city to include a primary and general election, similar to how county and state office elections are held. HB 1307 would prevent this local problem-solving from occurring in a city.

The most troubling part of HB 1307 is that it appears to impact the right to an initiative and referral process of resolutions and ordinances. Every home rule charter that I have reviewed has included provisions related to initiating and referring ordinances. Some of them also include the ability to refer a resolution. In other words, the right to circulate a petition for signatures and require an election. These rights reserved to the electors in home rule charters is usually broader than what state law provides. As this is election related, it appears adoption of HB 1307 would void those provisions in a home rule charter, as well as any ordinances adopted in accordance with those charter provisions. In some cities that would mean that this right is entirely eliminated.

Adopting HB 1307 limits the ability for cities to undertake local problem solving related to elections and appears to have unintended consequences with relation to initiating and referring city ordinances. The NDLC respectfully requests a Do Not Pass on HB 1307.