

LARRY J. RICHARDS
ATTORNEY AT LAW

711 N. Washington Street #202
Grand Forks, ND 58203
Tel: (701) 795-5100
larry.richards@lawyer.com

January 19, 2021

To: Representative Jim Kasper
Chairman, North Dakota House of Representative Committee on
Government and Veterans Affairs

From: Larry Richards, Attorney at Law

RE: Testimony Regarding House Bill No. 1182—Partisan Designation on Local Elections

I have reviewed this proposed bill and wanted to express my general agreement and support for this legislation, with perhaps some modification as well as the basis for my support.

In June, 2018, I ran a contested campaign for Grand Forks Municipal Judge in Grand Forks, ND. This was an election for city-wide office in one of North Dakota's largest cities. In addition, I campaigned vigorously for the position, including spending more than what Grand Forks mayoral candidates had spent in the most recent past election. Despite the prominence, the Grand Forks Herald didn't run a single article dedicated to the race during the campaign—not even a one-inch in-column “blurb” article discussing the election. Excluding the paid for Letters to the Editor and a couple of ads, the readers of the Grand Forks Herald wouldn't have even known there was an election for Grand Forks Municipal Judge that spring. It was not until three days before the election (after the conclusion of all the early voting) that the Grand Forks Herald published anything on the race which was then a mere fifty (50) word statement from each candidate. The lack of coverage impacted the race and left most of the issues I was bringing up unaddressed. For lack of resources or maybe for some reasons I am unaware of, I firmly believe the voters were done a disservice by the lack of coverage by the Grand Forks Herald.

While the election for the office I ran for would not be impacted by this current bill, my experience demonstrates the woefully inadequate coverage our local government races have in North Dakota media, even in a major media markets. In my opinion, the use of non-partisan elections are fine when 1.) the election is for a geographic area with few voters and where practically everybody knows everybody personally, or 2.) when you have an active, engaged local media who provides adequate coverage for local politics. Sadly, the state of our local media in North Dakota is in sharp decline. For example, since that election, budget cuts have only made things at the Grand Forks Herald worse, which is now published (along with The Forum in Fargo, ND) two days a week. Local TV news coverage is diminished. Other local newspapers are printing fewer and fewer editions and those that are printed have less and less meaningful content. While party labels will not solve the problem of poor voter education, it will at least provide the voter some general idea where an individual stands on some principles.

Testimony on Bill 1182

Pg. 2


1/19/2020

However, as a product of rural North Dakota, I do understand some of the points by those opposed to this legislation. As noted above, I concede that in many rural areas the need for party labels in local election is probably unnecessary. As a potential compromise, I would suggest that you consider treating races in larger geographic and population areas differently. North Dakota law already does so in many other areas and, as discussed already, there is plenty of justification to do so. As a potential dividing line, I note that North Dakota election law already provides an example. Under North Dakota law, candidates for county elections and for city election in cities with a population in excess of 5,000 are subject to more stringent reporting requirements. I believe that would provide a fair dividing line which can be adopted for such a compromise.

Finally, please note that, while I am an attorney, I present this testimony in my individual capacity. I do not present this testimony on behalf on any individual, corporation or other entity. I have not and will not receive any compensation for the presentation of this testimony.

Thank you for your time and consideration as well as your service to the State of North Dakota

Sincerely,



Larry J. Richards
Attorney at Law