

Senator Randy Burckhard and
Members of the Senate Political Sub-Divisions Committee:

House Bill 1165 which proposes that residents living in an extraterritorial jurisdiction be given the right to vote in all city elections in the city that has exercised its right to enforce building and zoning requirements is not good legislation.

It is in the Cities of North Dakota's best interest, the State's best interest, as well as the best interest of the residents who live in the extraterritorial zones that there be orderly development in these areas around our cities. Who would argue that proper, sound, thoughtful long range planning is something that is harmful to our State or its residents?

We do not want to see this, what we see as an obligation to our residents, abused. If there is abuse, regulate the abuse.

To demand the right to vote by non city residents in city elections is a folly that if allowed must be and will be allowed in other situations as well. For example, what about people who own property in the extraterritorial area but do not live there? Their interests could be far greater than someone who lives in the extraterritorial zone.

I own property in at least three school districts, but can vote in only one. I live in the city but own a home in the country as well. Can I also vote in the township election? What about out of state property owners, do they get to vote for our governor or other state officers or legislators? I pay sales tax in Fargo and Bismarck, do I get to vote in their city elections as well as in Jamestown? Does this sound absurd? Of course it does! However, this is not anymore absurd than allowing residents in the extraterritorial jurisdictions to vote in all city elections. If you allow this to occur in one case you will eventually have to do so in others as well.

Given proper consideration I am confident that the majority would agree that orderly development is necessary in these areas. We understand that this does not always sit well with everyone, nor does every action taken by the legislature. This bill really is not about the right of franchise as much as it is an attempt to intimidate local city government in the hope that they will not carry out their responsibilities.

Please stay off of this slippery slope and vote No on House Bill 1165.

Respectfully submitted,

Dwaine Heinrich

Dwaine Heinrich, Mayor
City of Jamestown