

February 7, 2023

House Political Subdivisions Committee
Representative Donald W. Longmuir, Chairman
HB 1273

RE: Testimony of the Board of City Commissioners for the City of Fargo in OPPOSITION to HB 1273

Chairman Longmuir and Members of the House Political Subdivisions Committee:

We, the Board of City Commissioners for the City of Fargo, submit this testimony in opposition to House Bill 1273 and request a **“Do Not Pass”** recommendation in the House Political Subdivisions Committee.

In the State of North Dakota, we appreciate the longstanding, time-honored tradition of respect for Home Rule Authority and the ability of local elected officials to manage the business of their cities, counties, and townships. Local elected officials lead, plan, and direct their communities in response to what their citizens wish to see for their local government. As the government closest to the people, we listen to the public we serve and directly reflect their wishes.

One such example of local government responsiveness to the public is the initiated measure process. In 2018, Fargo residents placed a ballot question before voters to determine the future conduct of Fargo city elections. In the November 2018 election, 30,092 voters supported “approval voting,” sending a clear mandate that approval voting be implemented for Fargo city elections. 63.52% of ballots cast in this election were in support of approval voting – an unequivocal “supermajority” message of support for reform and a change in the manner in which City Commissioners are elected. Since the voter approval of the initiated measure, the City of Fargo has conducted two (2) municipal elections in an efficient manner without issue.

As proposed, HB 1273 would void the wishes of the citizens of Fargo by prohibiting approval voting in future elections. HB 1273 would effectively place the State Legislature in control of local election procedures and dictate that approval voting – despite its selection by the voters of Fargo – be prohibited. This legislation would simultaneously nullify Fargo’s democratic process and voting procedure while prohibiting other cities in North Dakota from considering approval voting or ranked choice voting.

At best, HB 1273 is a legislative solution in search of a local government problem, where none exists. At worst, it is an unnecessary incursion and disruption to the balance of local control and the democratic process. How the political subdivisions of North Dakota choose to elect their Commissioners, serve the interests of their communities, and govern themselves is a question unique to each of our communities and should be left to local voters. Home Rule Authority, at its core, is about respect for the will of the people and the democratic process, and the Board of City Commissioners for the City of Fargo simply requests that Fargo continue to be permitted to extend this respect and courtesy to our voters and their wishes.


The Board of City Commissioners of the City of Fargo OPPOSES HB 1273 and respectfully urges a "DO NOT PASS" recommendation.

Sincerely,

THE BOARD OF CITY COMMISSIONERS FOR
THE CITY OF FARGO, NORTH DAKOTA



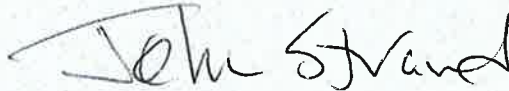
Dr. Timothy J. Mahoney
Mayor



Arlette Preston
Deputy Mayor



Denise Kolpack
City Commissioner



John Strand
City Commissioner