

January 30, 2025

House Government & Veterans Affairs Committee
Representative Austen Schauer, Chair
HB 1297

RE: Testimony of Dr. Tim Mahoney, Mayor of the City of Fargo, in OPPOSITION to HB 1297

Chair Schauer and Members of the House Government & Veterans Affairs Committee:

The City of Fargo submits this testimony to the House Government & Veterans Affairs Committee in opposition to House Bill 1297 and requests a **“Do Not Pass”** recommendation from your committee. The position of the City of Fargo in 2025, as it was in 2023 when a similar bill was introduced in the House, is to support our residents, the majority of whom made their wishes known in 2018 to support approval voting in Fargo in a citywide vote.

Home Rule Authority – A Respected North Dakota Tradition

In the State of North Dakota, Fargo appreciates the longstanding tradition of respect for Home Rule Authority and the ability of local elected officials to manage the business of their cities, counties, park districts, and townships. Local elected officials lead, plan, and direct their communities in response to what their citizens wish to see for their local government. This was Fargo’s message in House and Senate testimony in 2023 on a similar bill at that time to remove approval voting, and it remains the City’s position today.

The Initiated Measure Process – Democracy in Action

For background and historical context, the initiated measure process was utilized by Fargo citizens in 2018 to place a ballot question before the voters to determine the future Fargo election procedure. In the November 2018 election, 30,092 voters supported “approval voting,” sending a clear mandate to the City Commission that approval voting be implemented for future Fargo city elections. 63.52% of ballots cast in that election were in support of approval voting – an unequivocal “supermajority” message of support for reform and a change in the way City Commissioners are elected. Since that time, Fargo has successfully utilized approval voting in city elections with no issues or concerns expressed by the voters.

It is important to note that approval voting in Fargo did not result from an action of the Fargo City Commission; rather it was a measure initiated and organized at the grassroots level by citizens. Whether the City Commission agreed with the outcome of the 2018 election or not is irrelevant, as it was the voters who asked for approval voting in Fargo with their support at the ballot box in a citywide vote.

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Approval Voting Continues To Be Successful in Fargo

Approval voting has been utilized in the last three election cycles for the Fargo City Commission without incident or concern. There have been no challenges to the voting procedure itself. While it is unique – and different from other cities in North Dakota – this alone does not make it unfair or somehow untenable for our citizens. If the citizens have concerns about approval voting they can initiate a new measure to change the election procedure, but they have not done so. The voters have successfully utilized approval voting and there have been no calls for change.

Conclusion

As the Fargo City Commission shared in 2023 testimony on a similar bill to remove approval voting in North Dakota, the voters of Fargo sought to make the change to approval voting through the democratic process and elected to do so. The voting procedure has been accepted by the public and it is working in Fargo. I again request that Fargo continue to be allowed to have this option available to its voters – the individuals who asked for approval voting and support it.

The City of Fargo **OPPOSES** HB 1279 and respectfully urges a “DO NOT PASS” recommendation.

Sincerely,


Dr. Timothy J. Mahoney
Mayor