

SB 2230 - Testimony by Dustin Gawrylow, ND Watchdog Network (#266)

Madam Chair,

I would like to show my support for the concept of generating unbiased materials explaining ballot measures, with a few caveats and amendments:

1. Define “objective” in law so that it is not at the discretion of the Secretary of State.
 - a. Require the Attorney General to sign off on any legal analysis.
2. Consider moving this process to the beginning of the petition approval process so that the sponsoring committee knows what to expect.
3. Once approved, add the description to the petition packet during the circulation approval process so that petition signers see the same analysis as the overall voting population will.
4. Once applied to the beginning of the process, bind the Secretary of State to the “objective summary” so that the language does not appear different to voters as it did to petition signers. This will prevent surprise claims at the last minute.
5. Create a mechanism to allow for the sponsoring committee to appeal the description OR allow the sponsoring committee to offer an “unverified rebuttal” in addition to the Secretary of State’s description.
 - a. This would prevent or limit arguments over “fact-checking”.

Fiscal Note: Also, the \$250,000 allocated in the bill likely won’t cover the cost of developing, printing, and mailing these materials to all voters. Even if all measures on a particular ballot are rolled into one document and sent out, my estimate for the cost would be between \$1m to \$1.5m, depending on inflation and postal rates changes.