

Senate State & Local Committee

Senate Concurrent Resolution 4007

Andrew Alexis Varvel

Written Testimony

February 20, 2025

Madame Chairman Roers
& Members of the Committee:

My name is Andrew Alexis Varvel. I live in Bismarck.

I serve as the secretary of the Nonpartisan League.

Senate Concurrent Resolution 4007 plays the game of Simon Says, with the Secretary of State playing the role of Simon.

The question of whether a proposed constitutional amendment in an initiative petition comprises more than one subject is open to interpretation. The question is not whether the petition comprises more than one subject, but whether the Secretary of State has determined this to be the case. Under this proposed amendment, it would appear that the Secretary of State's determination cannot be appealed to either the Attorney General or the Supreme Court – it is the determination of the Secretary of State alone that matters.

In other words, this proposed amendment would give the Secretary of State complete and total veto power over any initiated constitutional measure using the pretext that it comprises more than one subject, regardless of whether the petition actually does.

Simon Says, with the Secretary of State playing the part of Simon.

This is unacceptable.

It would at least be more honest to simply give the Secretary of State the power to veto any proposed constitutional measure that he doesn't like. Yet, the essential problem isn't this resolution's rhetorical subterfuge. Rather, the essential problem is the undue power it gives to the Secretary of State over constitutional petitions.

I am keenly aware of how effective Senator Hogue can be as an orator on the Senate floor, for he has a certain knack for overturning committee recommendations. Even so, please do not be swayed. This is yet another attempt to limit the power of the people.

Please give a **DO NOT PASS** to Senate Concurrent Resolution 4007.

Thank you.

I am open for questions from the committee.