

Written Testimony on Senate Concurrent Resolution 4008

Madam Chair Roers and State and Local Government Committee Members

My name is Kevin Herrmann, 300 Fair St. SW, Beulah, ND. I am an independent North Dakota citizen. I am not a lobbyist.

I stand oppose to Senate Concurrent Resolution 4008. This resolution is an unconstitutional resolution to make changes to Article XV "Term Limits". In the 2022 general election, the citizens of North Dakota approved measure 1 by 63.4% on November 8th, 2022 which was about term limits. Supermajority of legislators were upset when the voters of North Dakota took away some of their legislative power.

Article XV section 4 states "Notwithstanding the legislative assembly's authority to propose amendments to the constitution under Article IV section 16 thereof, the legislative assembly shall not have authority to propose an amendment on this constitution to alter or repeal the term limitations established in section 1 of this article. The authority to propose an amendment to this constitution to alter or repeal the term limitations established in section 1 of this article is reserved to initiative petition of the people under Article III of this constitution."

Section 4 of Article XV makes this Senate Concurrent Resolution 4008 an unconstitutional resolution. The sponsor of this resolution needs to follow Article III initiative petition process just like any other citizen of North Dakota to make changes to section 1 of Article XV in this resolution.

I do not agree with the propose change in section 1 of Article XV in this resolution.

In 2023 legislative session, House Concurrent Resolution 3019 pertain to make word changing in section 1 and repeal section 4 as this resolution. House Concurrent Resolution 3019 was defeated in the Senate.

I have heard too often from legislators making false statements about out of state influence in getting petition measures on the ballot and citizens of North Dakota did not know what they were voting on. There was no out of state addresses listed on the sponsoring committee initiative petition for the term limits. Actually, there were 5 current North Dakota legislators and 4 former North Dakota legislators on the term limit sponsoring committee. In fact, the 2022 general election wording on the ballot for term limits (measure 1) was straight forward saying “**Relating to Term Limits of the Governor and Legislature**”. The voters of North Dakota knew the term limits measure was meant for the North Dakota legislators not United States Senator or United States House of Representative as some North Dakota legislators claim.

In fact, I am seeing more out of state influenced legislative bills introduced affecting the North Dakota Century Code. As example, 2019 legislative session House Bill 1193 took hourly wage workers constitutional right away to petition a political subdivision to get living wage provision on a local ballot. In 2021 legislative session House Bill 1398 took hourly wage workers constitutional right away to file a petition for family sick leave provision to a political subdivision.

All elected legislators took the oath of office to follow the North Dakota Constitution just as citizens of North Dakota have to follow the North Dakota Constitution.

Please give Senate Concurrent Resolution 4008 a “DO NOT PASS’ recommendation.

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