

# MICROFILM DIVIDER

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ROLL NUMBER

DESCRIPTION

3051

2007 HOUSE JUDICIARY

HCR 3051

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HCR 3051

House Judiciary Committee

Check here for Conference Committee

Hearing Date: 2/21/07

Recorder Job Number: 3535, 3541

Committee Clerk Signature

*W. Penrose*

Minutes:

**Chairman DeKrey:** We will open the hearing on HCR 3051.

**Rep. Bill Kretschmar:** Sponsor, introduced the bill. Basically it was an idea that I've been thinking about for quite a while. You recall that in 1996, that the people of ND changed the term lengths of this House from 2 years to 4 years in the Constitution. That also required the legislature to set up a system of electing members of the House on a staggered basis so that about 1/2 would be elected in each election. At that time, the legislature determined that the system they wanted to us was to elect all the members of the legislature from a district at the same election. So right now we have a system where both House members and the Senate member from that legislative district are elected at the same election. The downside to that system, is that in each biennial election, 1/2 of the legislative districts don't have legislators running. In my judgment, and I've seen it in my district, I think that affects the political process, disadvantages our political process. Because if there aren't legislators running in a district election, especially I think in rural districts, there isn't sufficient interest to get out the vote, to raise money or have rallies, etc. I saw that in my own district in the 2006 election, and maybe other legislators have seen that too. The only permeations or combinations that would require a legislative election in every district at every election would be that some member of the team

would have to run by themselves. Even a senator run one election and the House members run in another election, or one House member and one Senator run in one election and the other House member run in the other election. I don't think is very favorable to legislators. I think perhaps we are a little selfish in wanting to keep it that way. I think keeping the political process going in ND, in my judgment, is a more important goal. I see another aspect of that coming along in maybe after the 2010 census. It appears to me that our urban areas of ND are growing and the census figures seem to bear that out and rural areas are losing population. That trend, I think, will continue for some time. At least past 2010, and it might be in large rural districts, that the legislature, in its wisdom could set up a system of single member House districts. So that at least a representative would only have to drive around half of that area. But that's something that could work out in this situation so that there would be an election in each year. I certainly realize that this would be a change in our system, and whether this committee or the entire House or LC would bring it forward for study is, I think open the question. I think it's important that this legislature keep the political process going in our state. To keep people interested and active in the process. There seems to be in many areas, a lack of citizen participation in the political process of political parties. I think our people still are very good about voting in the elections. I would like to see more people active, maybe this would help.

**Rep. Onstad:** When they put the legislative assembly both on 4 year terms, do you see a trend where there isn't a distinguished difference between the House and the Senate.

**Rep. Kretschmar:** I don't think there is really a difference now in just about anything. Maybe the solution is to go back to 2 year terms for House members. I don't think that is in the foreseeable future, at least.

**Chairman DeKrey:** Thank you. Further testimony in support. Testimony in opposition. We will close the hearing.

(Reopened later in the same session).

**Chairman DeKrey:** What are the committee's wishes in regard to HCR 3051.

**Rep. Meyer:** I move a Do Pass.

**Rep. Wolf:** Second.

**Rep. Klemin:** I think it will be pretty expensive to run a campaign more times.

**Rep. Koppelman:** If a presidential campaign doesn't bring them out, I don't think legislative races will either.

**Rep. Kingsbury:** People are confused as it is, I don't think this will help.

**Rep. Klemin:** We had to change our constitution for elections for AG, Secretary of State, Ag Commissioner, etc. in hopes of creating more interest in the off year elections.

**Rep. Meyer:** Well I think that Rep. Kretschmar, in a rural area, if we could bring in a study, it is very confusing for a rural area, such as District 39, where you have Watford City and Hettinger in the same legislative district. There's nothing in common, you look at the distance between those two cities. As the next census is going to indicate that more and more. I think it should be studied now so we can start addressing some of these concerns. Whether we have single House district seats or Senate or staggered, because right now in the rural areas, it's gotten to be a nightmare and it wouldn't hurt to study it.

**Rep. Onstad:** On the same lines, imagine us now in four years, this is going to have to be studied and look where the population shifts are going and so on. I'll tell you in the district that I represent, I have 5,000 sq. miles. That's larger than Rhode Island. Is representation the same in Bismarck vs. District 4, when you live within 10 miles, versus the size and area of my district. What kind of impact this has. I don't know if we should change the length of the term,

I think Rep. Meyer brings up an area where right now, in 39 they have a representative in the south end and one in the north end. But that may not necessarily be the case in the future. Let's say it wasn't that way, there is nothing in between Watford City and I-94, as far as people goes. There's a lot of land. That has to be taken into consideration as well. I'm hopeful for a study as well to have a discussion on it.

**Chairman DeKrey:** The clerk will call the roll on a Do Pass motion.

**10 YES 1 NO 3 ABSENT DO PASS/CONSENT CALENDAR CARRIER: Rep. Onstad**

Date: 2/21/07  
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 3051

House JUDICIARY Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Rep. Meyer Seconded By Rep. Wolf

Representatives	Yes	No	Representatives	Yes	No
Chairman DeKrey	✓		Rep. Delmore	—	—
Rep. Klemin	✓		Rep. Griffin	✓	
Rep. Boehning	✓		Rep. Meyer	✓	
Rep. Charging	—		Rep. Onstad	✓	
Rep. Dahl	✓		Rep. Wolf	✓	
Rep. Heller	—				
Rep. Kingsbury	✓				
Rep. Koppelman		✓			
Rep. Kretschmar	✓				

Total (Yes) 10 No 1

Absent 3

Floor Assignment Rep. Onstad

If the vote is on an amendment, briefly indicate intent:

*Consent Calendar.*

**REPORT OF STANDING COMMITTEE (410)**  
February 21, 2007 4:05 p.m.

**Module No: HR-33-3640**  
**Carrier: Onstad**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HCR 3051: Judiciary Committee (Rep. DeKrey, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (10 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). HCR 3051 was placed on the Tenth order on the calendar.**



2007 SENATE GOVERNMENT AND VETERANS AFFAIRS

HCR 3051

## 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 3051

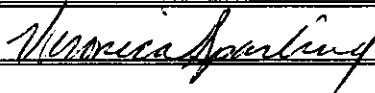
Senate Government and Veterans Affairs Committee

Check here for Conference Committee

Hearing Date: 03/09/07

Recorder Job Number: 4796, 4798

Committee Clerk Signature



Minutes:

All members of the committee were present.

Senator Dever, Chairman, opened the hearing on HCR 3051.

Representative Bill Kretschmar from District 28 introduced the bill. He feels our current system has some disadvantages. Currently in each of the biennial elections half of the districts don't have legislative elections. When a district doesn't have a legislative election there is a lack of enthusiasm and people don't get out to vote. He thinks it would be a better system for North Dakota to have legislative elections in every district in every election cycle. Also when it comes time for reapportionment he would like to split some of the senate districts into two house districts. The terms of the house district could then be staggered. He feels the current system is doing a disservice to our political process.

Senator Dever asked if he is correct in understanding that the length of the terms is a constitutional matter but how and when they are elected and whether there are sub-districts is a matter of Century Code.

Representative Kretschmar said it is entirely up to the legislative assembly to determine the  
*(I couldn't hear the tape)* system.

There was discussion about the mechanics of having a legislator on the ballot each election and how it would affect running as a political team.

Senator Oehke feels that part of the problem with low voter turn-out is because there are not viable candidates on the ballot and the candidates aren't getting out to meet the people. If the candidates would be out seriously seeking the position he feels these proposed changes would be unnecessary.

Representative Kretschmar said that does have a bearing on it but he did want to raise the discussion and bring attention to the problem.

There was discussion about redistricting and reapportionment. That is a matter for a different time and a different bill.

Representative Kretschmar stated that the "disinterest problem" may not be as apparent in urban areas as it is in rural areas.

Senator Dever mentioned that maybe the two House seats could run separately.

Representative Kretschmar said as it is now you can be running against your running mate.

Support: -

Opposition: -

Neutral: -

Chairman Dever closed the hearing on HCR 3051.

Senator Marcellais asked what the cost of doing this study would be.

The cost comes out of the legislative budget. There was discussion about how a resolution becomes a study. Over 100 studies are generally proposed to legislative council; 40-45 of them get chosen as study items. Each study is then assigned to an interim committee that is composed of legislators. The interim committee meets and decides what information they would need. Legislative Council staff does the homework. The interim committee then meets

again to consider the findings of Legislative Council. The interim committee basically directs the work of the Legislative Council.

Senator Horne expressed a desire to delay action on this resolution.

The committee will wait until a later date to act on this resolution.

JOB #4798

A do pass motion was made by Senator Nelson.

The motion was seconded by Senator Marcellais.

Roll Call Vote: Yes 6 No 0 Absent 0

Carrier: Dever

Date : 3-9-07  
Roll Call Vote # : 1

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 3051

Senate Government and Veterans Affairs Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken do pass

Motion Made By Nelson Seconded By Marcellais

Senators	Yes	No	Senators	Yes	No
Senator Dick Dever - Chairman	✓		Senator Robert Horne	✓	
Senator Dave Oehlke - VC	✓		Senator Richard Marcellais	✓	
Senator Judy Lee	✓		Senator Carolyn Nelson	✓	

Total (Yes) 6 No 0

Absent 0

Floor Assignment Dever

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE (410)**  
March 9, 2007 12:11 p.m.

**Module No: SR-45-4869**  
**Carrier: Dever**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HCR 3051: Government and Veterans Affairs Committee (Sen. Dever, Chairman)**  
recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).  
HCR 3051 was placed on the Fourteenth order on the calendar.