2009 HOUSE CONSTITUTIONAL REVISION

HCR 3050

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HCR 3050

House Constitutional Revision Committee

☐ Check here for Conference Committee

Hearing Date: 03/02/09

Recorder Job Number: 9983

Committee Clerk Signature

Minutes:

Chairman Koppelman opened the hearing on HCR 3050.

Rep. Kretschmar: This is something that we as legislators should think about. I think it should be adopted. In the 1995 session, the legislature approved the constitutional amendment that was provided for four year terms for members of the house of representatives. In 1996 that resolution was approved by the voters of North Dakota. In 1997 the legislature was required to set up a system to accommodate the four year terms for all legislators. A system was set up by which we elected all three legislators in the district in a particular general election. Since the year 2000 there have been one half of the legislative districts in North Dakota that don't have an election in a particular general election. In one half of our districts in every election there is not the enthusiasm or the push for voters to get out and get involved in the process. I think there should be. I think the political process would be much better served by having a legislative election in every district in every biennial election. The proposed amendment does not say how that's done. If this amendment would get on the ballot and be approved, it would be up to the next legislative assembly to determine how that system would work. There are only two ways it will work. You either elect both representatives in one election and your senator in the other, or you elect one representative in

one election, and the representative and senator in another. When there were two year terms there was activity in every general election. I think we would be better off for an elective system to have elections for legislators in every legislative district at every biennial election.

Rep. Conrad: People are going be confused as to who they are supposed to be electing.

Rep. Kretschmar: Most voters in my district like to have legislative election in every general election. I did attempt to bring a resolution to the republican state convention. There was some support among people who weren't legislators. But it was voted down. So I decided to bring the forward to the legislative assembly for discussion.

Rep. Meier: Are you aware of how other states do it and how we compare to other state's election process?

Rep. Kretschmar: I really don't know, but to my knowledge there is only one other state that elects it's legislature for four year terms. When they elect them to two year terms, there is no problem.

Rep. Hatlestad: Suppose we move the governor to the other election so we have the governor in one two year shot and the president in the next.

Rep. Kretschmar: That probably would help. My recollection is the legislature wanted the governor to run with the president. South Dakota and Minnesota elect their governor in an off year, not a presidential year.

Rep. Schatz: I'm just trying to think of some of the reasons that were given in the party resolution situation and it seemed to me there was something to deal with the amount of cost that it might have on these elections if you have senators running and then the house running two years later where a lot of people run together. You may still put out the same number of ads, but you'd be on your own. Do you think the cost would double, or would that be a good thing?

Rep. Kretschmar: I'm sure there would be more costs. Certainly people who are running would like to see the costs of elections go down, but they don't seem to go down.

Chairman Koppelman: In 1997 this option was discussed so this is something the legislature could do. Why did you decide to make it constitutional versus just introducing a bill.

Rep. Kretschmar: I thought I would like to have the people of our state make the decision on it rather than just the legislative assembly.

Dustin Gawrylow: As far as the question concerning how other states do it, most other states have single member house districts. I think this concept certainly is very valid. The process of doing this was to simply divide the current districts into two smaller house districts and representatives would only have to (inaudible). It would also allow representatives to talk to more people more often.

Chairman Koppelman: What you're talking about is splitting house districts to a smaller size is not exactly what the resolution deals with, you could do that and still elect them every four years the way we do, or you could stagger them. Are you advocating the latter?

Mr. Gawrylow: I think the latter is more the intent of the bill. I know that my experience in two states here and in Iowa. In Iowa each senate district, the district number is the same and they'll have the letter A or letter B behind it. South Dakota has some districts set up like that. It's not consistent. Going further, the concept of having the senate based on geography rather than proportional population with the house has been one floating around. It gets a lot more complicated. It was declared unconstitutional. I think generally keeping in the spirit of this idea, splitting senate districts in half and having the same number of districts would probably make it a little more conducive to citizen involvement.

Brian Koch: I'm Brian Koch and all I want to say we need to look at ways to more voter turnout. While I will support this bill, I don't know if this is the best way to do it. But I think it is

something I think committee should talk about when you hold a statewide race, it's virtually impossible to get people that aren't going out.

Chairman Koppelman: Do you think there are other ways perhaps to stimulate interest in the elective process? In your experience having run statewide, were there some districts that did that more successfully than others?

Mr. Koch: It seemed like the population centers do better. We're really talking about the remote rural districts. They don't have any mutual support. I know this is a local issue. If the June and November elections were married up that might solve it.

Chairman Koppelman: Any further support for HCR 3050. Any testimony in opposition to HCR 3050. Any neutral testimony on HCR 3050. Seeing none, we'll close the hearing on HCR 3050.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HCR 3050

House Constitutional Revision Committee

☐ Check here for Conference Committee

Hearing Date: 03/04/09

Recorder Job Number: 10214

Committee Clerk Signature	Lori Englison

Minutes:

Chairman Koppelman opened the hearing on HCR 3050.

Chairman Koppelman: Rep. Kretschmar, this is the one that you introduced?

Rep. Conrad: I make a motion for do pass.

Rep. Schneider: Second.

Chairman Koppelman: This is the one that would ensure that there is an election in every district every year. It would leave it to the legislature to determine exactly how it works. Discussion.

Rep. Uglem: I can see where he's coming from. It would be nice to see every district for every election, but I also can see where it gets to be a lot more work and a lot more expensive running an election in every district every two years. And also one of those two elections, someone will be running alone. I see his point, but I also can see some problems. I don't think I can support this.

Inaudible comment by **Rep. Conrad.**

Rep. Kretschmar: My one answer is democracy as a system is cheap sometimes. You have to spend money, and I think for our political system, this would be a better solution than the one we currently have. I see the points that legislators like it because they're running as a

group and of course with four-year terms that's fine but I would like to see it pass, but I don't think it's going to.

Chairman Koppelman: I am going to resist the motion, and the reason is, and as I mentioned in the testimony, I think Rep. Kretschmar and I were probably the only ones in this committee that were here when this change took place and had been elected to two-year terms, and I think Rep. Schatz was earlier, but I remember when all that happened and really the people of North Dakota did something really remarkable in 1996. The people of North Dakota did two things in 1996. At the height of the term limits movement that was sweeping the nation, the people of North Dakota said we don't want term limits. The second thing the people did in the very same election is that they gave the house four-year terms. To me, that was a real vote of confidence I thought. In 1997 it fell to the legislature to determine the very thing this resolution asks us to do and that is how we stagger the terms. My main reason for opposing the amendment is that we could do this in the legislature. And we've had bills to do it before in the legislature which admittedly have not succeeded. The people could do it through a measure if they really felt it was something that needed to be changed. I believe that this will be good for politics. I'm not convinced it would be good for government. I think our greater duty here is what's best for the way our state works. I think when the people voted in 1996 to give the house four-year terms is because they didn't want to see us at their door every two years. I do think the voters felt once every four years is enough. Further discussion. Seeing none we'll ask the clerk to call the roll on a do pass recommendation.

The roll was called by the clerk.

4 yes, 5 no, 0 absent and not voting.

Chairman Koppelman: Motion fails 4 to 5. Is there another motion?

Rep. Meier: Mr. Chairman, I move a do not pass.

Rep. Hatlestad: Second.

Chairman Koppelman: Moved by Rep. Meier. Seconded by Rep. Hatlestad. Further discussion? Seeing none I'll ask the clerk to call the roll on a do not pass recommendation.

The roll was called by the clerk.

5 yes, 4 no, 0 absent and not voting. Rep. Koppelman was assigned to carry the resolution.

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 3050

HOUSE CONSTITUTIONAL
REVISIONS COMMITTEE

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken ☐ DP ☐ DNP ☐ DP AS AMEND ☐ DNP AS AMEND

Motion Made By Conrad   Seconded By Schneider

Representatives	Yes	No	Representatives	Yes	No
Chairman Koppelman		✔	Rep. Conrad	✔	
Vice Chairman Kretschmar	✔		Rep. Griffin	✔	
Rep. Hatlestad		✔	Rep. Schneider	✔	
Rep. Meier		✔			
Rep. Schatz		✔			
Rep. Uglem		✔			

Total Yes 4   No 5

Absent _____

Floor Carrier: _____

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

DP fails

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. ___3050___

HOUSE CONSTITUTIONAL
REVISIONS COMMITTEE

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken ☐ DP ☒ DNP ☐ DP AS AMEND ☐ DNP AS AMEND

Motion Made By _____ Seconded By _____

Representatives	Yes	No	Representatives	Yes	No
Chairman Koppelman	✓		Rep. Conrad		✓
Vice Chairman Kretschmar		✓	Rep. Griffin		✓
Rep. Hatlestad	✓		Rep. Schneider		✓
Rep. Meier	✓				
Rep. Schatz	✓				
Rep. Uglem	✓				

Total   Yes ___5___   No ___4___

Absent _____

Floor Carrier: _____Koppelman_____

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

REPORT OF STANDING COMMITTEE
HCR 3050: Constitutional   Revision   Committee   (Rep. Koppelman,   Chairman)
recommends **DO NOT PASS** (5 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING).
HCR 3050 was placed on the Eleventh order on the calendar.