

Testimony SCR 4005
Senate Government and Veterans Affairs Committee
January 28, 2021

Mr. Chairman and members of the Senate Government and Veterans Affairs Committee, good afternoon. My name is Don Morrison. I live in Bismarck and I am here as a volunteer for North Dakota Voters First, which is a non-partisan, grassroots North Dakota group working to strengthen our democracy, help make our elections and public policy more open, ethical, and accountable to the people of our state.

I would like to address concerns we have about increasing the percentage required to pass these amendments from 50 percent to 60 percent.

We looked at the 514 ballot measures that North Dakotans have voted on since 1889. Voters defeated 258 of them and approved 256 under the 50% plus one threshold. The number of measures approved by over 60% of the voters was 128 and those approved by between 50% and 60% was interestingly also 128.

Looking at just those approved with between 50% and 60% of the voters, we can look at approved measures that would have failed under this amendment. Look at the table on the next page for a selection of measures that would have failed.

There are times when the legislature and citizens do not agree. Citizens vote for legislators and other candidates for office based on a 50% or even a plurality threshold. We don't hear anyone saying that should be raised to 60%.

Each of us has experienced disappointment about the outcome of constitutional amendment ballot measures. But, we should trust the voters, even when we disagree. We recommend that the Senate Government and Veterans Affairs Committee give SB 4005 a Do Not Pass.

Thank you for the opportunity to talk with you this afternoon.

Selected North Dakota Ballot Measures 50%-60% Approval

Type of Election	Election Date	Type of Action	Subject Content (Session Laws Citation)	Votes		
				For	Against	% FOR
Primary	1964 (6/30)	Const. Amend. (Petit.)	Changes two-year terms to four-year terms for most state officials and the county superintendent of schools. (S.L. 1965, ch. 475)	60,099	55,294	52.08%
Primary	1980 (9/2)	Const. Amend. (Legis.)	Prohibits the state from raising state revenue with a property tax. (S.L. 1981, ch. 654; S.L. 1979, ch. 703) (HCR 3009)	63,699	56,618	52.94%
General	1992 (11/3)	Const. Amend. (Legis.)	Provides that bills passed by the Legislative Assembly become effective on August 1 after passage, or 90 days after filing with the Secretary of State if filed between August 1 and January 1 of the following year. (S.L. 1993, ch. 659; S.L. 1991, ch. 756) (HCR 3016)	146,823	127,500	53.52%
Primary	1940 (6/25)	Const. Amend. (Petit.)	Changes name of State Board of Railroad Commissioners to Public Service Commission. (S.L. 1941, p. 589)	67,294	57,239	54.04%
General	1996 (11/5)	Const. Amend. (Legis.)	Lengthens the term of North Dakota House members from two years to four years. (S.L. 1997, ch. 570; S.L. 1995, ch. 649) (HCR 3010)	132,718	112,047	54.22%
General	1974 (11/5)	Const. Amend. (Legis.)	Requires joint ballot for electing Governor and Lieutenant Governor. (S.L. 1975, ch. 605; S.L. 1973, ch. 531) (SCR 4031)	111,197	89,977	55.27%
Special	1933 (9/22)	Const. Amend. (Legis.)	Requires two readings of legislative bills instead of three and permits first reading to be by title only. (S.L. 1935, p. 494; S.L. 1933, ch. 83) (SCR 5)	77,077	61,987	55.43%
General	1948 (11/2)	Const. Amend. (Legis.)	Authorizes a property tax levy of one mill to finance state medical center at the University of North Dakota. (S.L. 1949, p. 511; S.L. 1947, ch. 119) (SCR 12)	108,133	86,262	55.63%
General	1916 (11/7)	Const. Amend. (Legis.)	Provides for a state normal school at Dickinson. (S.L. 1917, p. 407; S.L. 1915, ch. 84) (SB 11)	60,582	43,334	58.30%
Pres. Pri.	1924 (3/18)	Const. Amend. (Legis.)	Consolidates the offices of county judge and clerk of court in counties with less than 6,000 population. (S.L. 1925, p. 329; S.L. 1923, ch. 177) (SB 347)	70,447	49,762	58.60%
Primary	1956 (6/26)	Const. Amend. (Legis.)	Provides for bonding the state up to \$9 million to provide a state bonus for veterans of the Korean conflict. (S.L. 1957, ch. 396; S.L. 1955, ch. 358) (HCR D)	85,908	59,441	59.10%