

HB 1452

Tuesday, January 31st

House Finance and Tax

Good morning, Chairman Headland and members of the finance and tax committee. For the record my name is Mike Motschenbacher, representative from District 47 here in NW Bismarck.

Today you have before you HB 1452. This bill would create in the state treasury, the foreign influence tax fund. Monies in this fund would be equally distributed to veterans organizations and the school lunch program.

Now the question of where the money comes from. These funds will be derived from a 90% foreign influence tax. This 90% tax will be assessed to any out of state contributions for or against an initiated measure in North Dakota. It is my firm thoughts that if we are going to change North Dakota's constitution, it must be supported or opposed by North Dakota citizens and North Dakota dollars.

We have seen no less than three initiated measures over the past few years that were heavily influenced by out of state interests. Why are these out of state interests using North Dakota to push their interests? Simple. It's easy to do so, and doesn't cost them a ton of money.

If we are going to change the United States constitution, it requires a 2/3 majority for a proposed constitutional change from the US Congress. After that requirement is met, the proposed amendment is sent to the governor of each state, who then sends it to their legislature. 38 out of the 50 state legislatures must vote in favor of the amendment, referred to as ratification, at which time it is then send back to the President to sign.

As you can see, it is extremely difficult to change the constitution of the United States. There have been 11,770 attempts to change the US constitution, with only 27 amendments being adopted. There is good reason for this. The constitution is a sacred document that needs to be protected. North Dakota's constitution is no different and needs to be protected.

Here in North Dakota all you have to do to change the constitution is collect a few thousand signatures to get the measure on the ballot. After that, it only required a 50% plus 1 majority to implement the constitutional change. It is because of this simplicity that national groups are targeting North Dakota as an easy way to push their agendas, and have spent millions of dollars from out of state donors. This, in my opinion, is wrong and is a disservice to our state.

It is because of this, that I hope this committee can agree and support HB 1452 and promote North Dakota interests being funded by North Dakota dollars, and do all we can to protect the constitution from these out of state interests. I kindly ask for a Do Pass recommendation and stand for any questions.

Mike Motschenbacher

District 47 Representative

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