

Good morning Chairman Schauer, and committee members—

For the record, I am Representative Donna Henderson from D 9B in North Eastern North Dakota including parts of Cavalier, Towner and Rolette counties.

House bill 1523 would make changes to how political parties reorganize, including after redistricting. After we submitted our bill draft, we did notice other areas that needed clarification and I've have been working with a former NDGOP rules committee chairman to bring you an amendment to make it even better. So I have handed out our proposed amendment and a Christmas tree version to make it more clear.

First I'll give you a little background information on myself and my involvement in the North Dakota Republican Party. My first District meeting was back in 1994 when our district stretched from the Canadian border down to Minnewaukan and I attended my first endorsing convention and I voted for Representative Dennis Johnson. After the meeting, I was asked if I would like to attend the Republican state convention as an delegate or alternate for the district and I eagerly accepted. I liked it so much that I attended almost every State convention since—with the exception of the year we had twin boys born shortly before the convention. We always made it a family affair and all 6 of our children have served as pages for the State Conventions over the years.

For the past 15 years I've served on our District's executive committee. My husband was a District chairman for over 20 years and served 4 terms as a regional chairman. During that time I attended almost all of the state committee meetings as his guest. I guess I was just a political party nerd as I found the meeting far more interesting than shopping. During those years I proxied for him at State committee meetings, served on the State convention credentials committee, I was on the rules committee, and I was elected at the State Convention to be a delegate or alternate to 3 National conventions. I ran for 2<sup>nd</sup> vice chair of the party in 2020 and lost by only 3 votes. It is with that experience in party politics that I am here to propose changes to how political parties reorganize.

We propose to repeal sections 16.1-03-03 and 16.1-03-05. They both refer to organizing by precinct. Currently in 16.1-03-01 subsection 2, it clearly states that a district party may organize by precinct or on at large basis. So this section is not needed, and micromanages the process. We thought it best to leave it to the districts to choose what works best for them.

Next we propose repealing section 16.1-03-17 which deals with party reorganization after redistricting takes place. Here's why.

Now it used to be that every district reorganized after redistricting took place. That's how we've done it for all long as I've been in the party. This was recently changed in November of 2021 during the special session. Instead, new language added which stated that districts "SHALL" reorganize when the new geographical area had a 2020 population change more than 25% of the district's population. It doesn't say Only then, just that that group "shall" During the Senate floor debate, the bill carrier said that if a district had less than 25% population increase, they could still reorganize if they chose to. It did not prohibit a district to reorganize if they wanted to. If I was tech savvy I would have downloaded that video clip into the testimony, but it is archived on the legislative website and you can watch it if you desire. The point is, it shows that the intent of that legislation was to force a reorganization if population increase was 25% and over, and optional if under the 25% population increase.

So here's the problem. Our district, District 9, had a population increase of 24.58% We were not forced to reorganize last year, so our District took a vote at our District meeting and we voted 33-2 in favor of choosing to hold a reorganization meeting according to the new century code. Our District Chairman called the meeting and the proper notices went into the official county newspapers. But our meeting was cancelled because the State party chairman misinterpreted the new language in century code and said we were not able to reorganize according to the law. I included a copy of that document in my testimony. It is Interesting to note that the Democrats of District 9 did hold a reorganization meeting that was perfectly legal and I included a copy of the notice for the District 9 Democrats reorganization meeting in my testimony as well. Now that misunderstanding

although unfortunate, is long past I'm not here to get into all that. We simply want to move on and solve the problem- and clearly we do have a problem with the current language and we need to make a change, to protect any other Districts in the future from the same misinterpretation. We decided to do it now while it's fresh in our minds and not wait till the next census in 2030, as many of us may not be here serving in the legislature by then.

So after removing that section dealing with reorganizing after redistricting, we needed to add the redistricting language back into the code in other places to make it complete, including what happens in a newly formed district without a sitting district chairman. In that case the state committee would choose an elector from the boundaries of the newly formed district, and that could be done at their annual December meeting.

There is also language to increase publication of the reorganization meeting from ten days to thirty days. This is in response to many districts putting additional restrictions in their bylaws or rules in regarding deadlines or timelines for notification of running for party positions and other requirements that also need to be noticed to ensure all participants are informed prior to the meetings.

We recognize that districts can make their own rules of procedure, but also want to make sure that they do not conflict with the state party bylaws or rules, hence some of the added language on page 3.

We've worked hard to cover all the changes we feel necessary, and added an emergency clause to make this effective immediately, as there are many districts that will be reorganizing up until the middle of May.

Please adopt the amendments we are offering along with the bill. Keep in mind if we need to do any more work on some of the language, we are happy to do so to get this in it's best possible form for the good of our political parties in North Dakota.

There is some written testimony submitted online and I especially want to acknowledge testimony submitted by Mr John Trandem. John served as the chairman of the NDGOP rules committee for many years and he kindly worked closely with me on this project. I was hoping he could testify online today- do you know if he's there?

Thank you and I welcome any questions you may have.

Some political districts were required to reorganize by state law, but NOT District 9. The North Dakota Century Code reads:

***16.1-03-17. Political party reorganization after redistricting.***

*If redistricting of the legislative assembly becomes effective after the organization of political parties as provided in this chapter and before the primary or the general election, the political parties in each of the following districts shall organize or reorganize as closely as possible in conformance with this chapter to assure compliance with primary election filing deadlines:*

- *A district that does not share any geographical area with the pre-redistricting district having the same number.*
- *A district with new geographic area that was not in that district for the 2020 election and which new geographic area has a 2020 population that is more than twenty-five percent of the district's population as determined in the 2020 federal decennial census.*

District 9 does NOT meet the trigger for a reorganization. While your district has new population, the percentage of new people is 24.58%.

Thus, neither the District 9 Rules & Modes of Procedures nor state law requires a reorganization of the district at this time, and in fact your District 9 Rules & Modes of Procedures do not permit it.

That makes the motion to reorganize made at the February 23, 2022, meeting an improper motion, and it is therefore null and void, and not subject to appeal per Robert's Rules of Order.

District 9 will reorganize, in accord with its Rules, in the next odd year and before May 15, 2023.

Sincerely,



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Perrie Schafer, Chairman



## Henderson, Donna

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**From:** Henderson, Donna  
**Sent:** Thursday, February 2, 2023 3:58 PM  
**To:** Henderson, Donna  
**Subject:** FW: Ad

