Testimony on Senate Bill 2269
Presented by Brenton Holper- City Administrator, Horace
3/20/2025

Chairman Longmuir, members of the House Political Subdivisions Committee, thank you for the opportunity to testify in support of SB 2269. My name is Brenton Holper, and I serve as the City Administrator and City Auditor for the City of Horace. I'm supportive of this bill as it improves the necessary framework for recall elections. In addition, I can answer questions this committee may have regarding impacts from this bill, from working firsthand with the recall election process on more than one occasion.

The current Recall and Special Election process is cumbersome, costly, stressful, and challenging. In some cases, recall petitions and campaigns are used as a tool to intimidate elected officials to vote a specific way.

SB 2269 introduces a more structured and transparent process for recalling elected officials. By establishing sound petition requirements, adjustments to defined timelines, and procedural safeguards, this legislation strengthens our election process while reducing undue disruption within a community.

For the City of Horace, I see this bill bringing forward various improvements:

1. **Balancing Recall Requirements** – Raising the petition threshold from 25% to 35% of voters helps ensure that recall efforts represent a significant portion of the electorate rather than a small, vocal minority.
2. **Increased Number of Required Recall Committee Members** – By increasing the number of required committee members from 5 to 15, this helps provide better assurances of adequate representation of voting populaces.
3. **A stronger ability to be Fiscally Responsible with Elections** – By providing the ability for the City Auditor to cancel the recall election if the member subjected to the recall election is the only individual on the ballot for that election. This would limit costs of an election when no other candidates were willing to come forward and run for the position.
4. **Further Suggestions/Additional Consideration** – We would also like to see the following additional changes considered/enacted -

   - Encourage Counties to administer the election process once the City Auditor calls the election valid and to proceed. If a City had a recall and they request County assistance, the City is responsible for reimbursing all associated costs the County incurs and coordinating logistics. *(The reasoning for this suggestion is due to the County has the expertise and often the best equipment to provide the most accurate election).*

Horace specifically has felt the financial and time-consuming impacts of the current recall elections. Horace experienced recall elections in 2021 (2 – City Council positions) and 2023 (1 – City Council position). The City was fortunate to work in collaboration with Cass County for the County to administer the election. As the City Auditor, I was responsible for reviewing and

validating the petition signatures, calling the election, coordinating a contract for election services with Cass County, and collecting the results for the City Council to certify. In 2021, the final cost for services from Cass County was $7,666.70. This cost does not account for any City staff time or resources dedicated throughout this process. My estimate is that this election cost the City of Horace approximately $12,000. A total of 1,211 votes were cast for those two City Council positions.

In 2023, the City of Horace worked with Cass County again in the same fashion as 2021. One City Council position was facing a recall. The total cost with Cass County was $8,953.60. My estimate is that this election cost the City of Horae approximately $13,000 when accounting for City staff time and resources.

Neither of these elections were budgeted expenses and the City was able to pivot to handle these unexpected costs.

I urge this committee to support the proposed SB 2269 with a Do Pass recommendation and help strengthen our local government election processes in North Dakota. Thank you for your time and consideration of SB 2269.