

2025 SENATE STATE AND LOCAL GOVERNMENT

SB 2230

2025 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee
Room JW216, State Capitol

SB 2230
2/13/2025

Relating to the secretary of state's duty to distribute educational and informational materials before an election; and to provide an appropriation.
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9:00 a.m. Chair Roers called the hearing to order.

Members Present: Chairman Roers; Vice Chair Castaneda; Senators: Barta, Braunberger, Lee and Walen.

Discussion Topics:

- Citizen awareness
- Clear and transparent
- Statewide ballot measures
- Simplify measure language

9:00 a.m. Senator Myrdal, District 19, introduced the bill and submitted testimony #37596.

9:11 a.m. Michael Howe, ND Secretary of State, testified in favor and submitted testimony #37566.

9:22 a.m. Dr. Ellie Schockley, Social Scientist, testified in favor and submitted testimony #37510.

Additional written testimony:

Brenda Ruehl, Director Program Services ND Protection & Advocacy Project, submitted testimony in favor #36636.

Dustin Gawrylow, ND Watchdog Network, submitted testimony in favor #36749.

Jacob Thomsen, Policy Analyst ND Family Alliance Legislative Action, submitted testimony in favor #37562.

9:34 a.m. Chair Roers closed the hearing.

Susan Helbling, Committee Clerk



Protection & Advocacy Project

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Bismarck, ND 58501

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State and Local Government Committee

Senate Bill 2230 - February 13, 2025

Testimony of Brenda Ruehl, P&A Director Program Services

Greetings Chairwoman Roers and members of the State and Local Government Committee. My name is Brenda Ruehl and I'm a Director of Program Services at the North Dakota Protection and Advocacy Project (P&A). P&A is an independent state agency established in 1977 to assert and advance the human, civil, and legal rights of people with disabilities. The agency's programs and services seek to make positive changes for people with disabilities where we live, learn, work and play.

P&A is in favor of a Do Pass on this bill.

Many voters including voters with disabilities often find proposed measures difficult to understand and are not always sure if they are voting in favor of or opposition of the measure. It is not always clear who is behind the measure, the impact on voting for or in opposition of, and what the financial impact the measure would or would not have on the state and local community.

P&A supports an objective analysis of a vote in favor of or opposition of, as well as the other requirements and language in the bill.

Thank you for your time and consideration.

Brenda Ruehl
Director Program Services
bruehl@nd.gov

SB 2230 - Testimony by Dustin Gawrylow, ND Watchdog Network (#266)

Madam Chair,

I would like to show my support for the concept of generating unbiased materials explaining ballot measures, with a few caveats and amendments:

1. Define “objective” in law so that it is not at the discretion of the Secretary of State.
 - a. Require the Attorney General to sign off on any legal analysis.
2. Consider moving this process to the beginning of the petition approval process so that the sponsoring committee knows what to expect.
3. Once approved, add the description to the petition packet during the circulation approval process so that petition signers see the same analysis as the overall voting population will.
4. Once applied to the beginning of the process, bind the Secretary of State to the “objective summary” so that the language does not appear different to voters as it did to petition signers. This will prevent surprise claims at the last minute.
5. Create a mechanism to allow for the sponsoring committee to appeal the description OR allow the sponsoring committee to offer an “unverified rebuttal” in addition to the Secretary of State’s description.
 - a. This would prevent or limit arguments over “fact-checking”.

Fiscal Note: Also, the \$250,000 allocated in the bill likely won’t cover the cost of developing, printing, and mailing these materials to all voters. Even if all measures on a particular ballot are rolled into one document and sent out, my estimate for the cost would be between \$1m to \$1.5m, depending on inflation and postal rates changes.

Senate State and Local Government Committee
February 13, 2025 SB 2230
Testimony In Support, but Recommending Amendments

Chairwoman Roers and Sens. Castaneda, Barta, Braunberger, Lee, and Walen:

I am Dr. Ellie Shockley, and I am a social scientist. While earning my Ph.D. at the University of Chicago and completing a post-doctoral fellowship with the University of Nebraska Public Policy Center, the psychology of ballot measure voters was one of my areas of research that I ultimately published in a peer-reviewed journal. Having lived in North Dakota over the last decade, I have maintained an interest in the topic within North Dakota's elections.

What I have found in my research is that ballot language is often confusing, especially for the many voters who have not encountered enough information about a measure prior to completing their ballot. Such confusion nudges people toward a higher likelihood of abstaining from a measure, or toward voting 'No', than if they were less confused. Voters who are less confused can confidently vote on more ballot measures, and they can better align a 'Yes' or 'No' vote with their actual policy preferences. Thus, voter education makes election outcomes better reflect the will of the people.

This bill is a starting point for offering ballot measure voter education, but has room for improvement. In the bill, the "objectivity" of the ballot measure summary/analysis is ill-defined. I suggest focusing instead on accuracy, fairness, and readability/reading ease. And with initiated measures, sponsoring committees should be involved in the process of drafting the educational materials.

First, the summary/analysis could be established prior to the signature gathering process and be included with the petition, as Dustin Gawrylow's testimony describes. This would build voters' understanding from the start. There should also be a process for a sponsoring committee to appeal or rebut the summary/analysis if the sponsoring committee members feel it is inaccurate or unfair.

Closer to the election, sponsoring committees of initiatives and legislative sponsors of concurrent resolutions going to the ballot could be allowed a set word/character count in which to summarize their arguments in favor of the measure. Opponents registered with the secretary of state could similarly summarize their arguments against the measure. Some other states do this well.

Finally, the educational materials should be restricted to certain Flesch-Kincaid Reading Level Scores. These materials will best serve voters if written at a grade level that most understand. The ballot language for the last election's measures ranged from an 11th-grade level to a graduate-student level, demonstrating the need for easy-to-read educational materials. Brenda Ruehl of the Protection & Advocacy Project has also submitted testimony for this bill. I encourage you to seek her feedback on what reading level would be ideal for making educational materials that are inclusive.

Thank you for your time and attention.

Ellie Shockley, Ph.D., Social Scientist
District 34 Resident, Mandan, North Dakota
EllieShockley.com



Testimony in Support of Senate Bill 2230

Jacob Thomsen, Policy Analyst
North Dakota Family Alliance Legislative Action
February 13, 2025

Madam Chair Roers and honorable members of the Senate State and Local Government Committee,

North Dakota Family Alliance Legislative Action would like to testify in support of Senate Bill 2230 and respectfully request that you would render a "DO PASS" on this bill.

In my eight years as an eligible voter in North Dakota, I have noticed that information on ballot measures leaves a lot to be desired. Folks are bombarded with information from proponents and opponents of the measures, and it is hard to find reliable, unbiased information about them. This leaves many voters across our state going to the booth uneducated about the things that they are voting on.

This bill provides an avenue for the voters of North Dakota to be able to get that information directly from the state. Our organization is unequivocally in favor of unbiased information that educates the voters of our state on the sometimes complex measures that are set before them. Because of this reason, North Dakota Family Alliance Legislative Action respectfully requests you render a "DO PASS" on Senate Bill 2230.

Thank you for the opportunity to provide this testimony, and feel free to contact us if you have any questions.

Sincerely,

Jacob Thomsen
Policy Analyst
North Dakota Family Alliance Legislative Action

**SENATE STATE AND LOCAL GOVERNMENT COMMITTEE
SENATOR KRISTIN ROERS, CHAIRMAN****TESTIMONY PRESENTED BY****MICHAEL HOWE, SECRETARY OF STATE**

Chairman Roers and members of the committee, I'm Michael Howe, North Dakota Secretary of State. I'm here to provide supporting testimony for SB 2230. This bill seeks to have the Secretary of State create and distribute information to voters by mail related to statewide ballot measures and the impacts of their yes or no vote.

SB 2230 would have our office send information regarding any statewide ballot measures to eligible voters prior to statewide elections that include ballot measures. Our office currently provides the ballot title, official ballot summary and fiscal impact for statewide measures on our website, however this would expand that information to include where the measure originated from – legislative action, initiated, or referred measure – as well as an objective analysis of what a vote in favor or opposition means. Most states provide information on ballot measures to their voters. About half of the states do this through online sources with varied information provided, the other half practice what this bill requires in mailing a “voter guide” to either households or individual voters.

Our office often receives calls during the election season from members of the public wanting more detail about specific ballot measures. We often point them to our website for the full ballot initiative text.

The bill sponsor consulted with our agency and we have offered her proposed amendments to ensure we have the resources needed, and that the bill is inclusive of the individuals the sponsor intended.

These amendments include:

- Page 1, line 12: Replacement of “~~secured active~~” with “active voter.” Secured active is a status used to protect the records of law enforcement, judges, etc., so the original language excluded all other qualified voters which was not the intent of the sponsor. Active voter would include those who voted in a statewide election in the last 4 years, and those who have received and maintained a North Dakota driver's or North Dakota non-driver's ID, are United States citizens, and are 18 years of age by the date of the election.

- Page 1, line 23: Replacement of “~~\$250,000~~” with “\$600,000.” If we had a single ballot measure on both the primary and general ballot, we believe this is a minimum of what we would need to provide distribution of information on a measure or two to roughly 450,000 active voters in North Dakota.
 - *Estimated Numbers X 2 elections* - This number is based on 2 elections in a biennial cycle and would not include any statewide special elections.
Active Voters – 450,000 (we have 594,140 eligible, but not all are considered “active voter” as described above)
Postage – \$400,000 (bulk rates range from .38 - .50 per piece)
Printing - \$200,000 (envelopes/mailer)

Chairman Roers and members of the committee that concludes my testimony and I’ll stand for any questions.

25.1189.01001
Title.

Prepared by the Legislative Council
staff for Senator Myrdal
January 20, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

SENATE BILL NO. 2230

Introduced by

Senators Myrdal, Hogue, Meyer

Representatives McLeod, Rohr

- 1 A BILL for an Act to create and enact a new section to chapter 16.1-01 of the North Dakota
- 2 Century Code, relating to the secretary of state's duty to distribute educational and informational
- 3 materials before an election; and to provide an appropriation.

4 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

- 5 **SECTION 1.** A new section to chapter 16.1-01 of the North Dakota Century Code is created
- 6 and enacted as follows:

7 Secretary of state to distribute information to qualified electors regarding ballot

8 measures.

- 9 1. For each constitutional measure approved by the legislative assembly, initiated
- 10 measure, or referendum appearing on the ballot of a special, primary, or general
- 11 election, the secretary of state shall create and distribute objective and factual
- 12 educational materials to each individual listed as "~~secured~~-active" in the central voter
- 13 file not less than ~~thirty-five~~forty-five days before the election at which the question will
- 14 be voted upon.
- 15 2. The materials created and distributed under subsection 1 must contain:
 - 16 a. An objective summary of the measure;
 - 17 b. The anticipated fiscal impact of the measure;
 - 18 c. Whether the measure was approved by the legislative assembly or originated as
 - 19 an initiative or referred petition; and
 - 20 d. An objective analysis of a vote in favor and a vote opposed.

SECTION 2. APPROPRIATION - SECRETARY OF STATE - BALLOT MEASURE

EDUCATIONAL MATERIALS. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of ~~\$250,000~~ \$600,000, or so much of the sum as may be necessary, to the secretary of state for the purpose of creating and distributing objective and factual educational materials relating to measures placed on a statewide election ballot as provided in section 1 of this Act, for the biennium beginning July 1, 2025, and ending June 30, 2027.

2025 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee Room JW216, State Capitol

SB 2230
2/13/2025

Relating to the secretary of state's duty to distribute educational and informational materials before an election; and to provide an appropriation.

2:56 p.m. Vice Chairman Castaneda called the hearing to order.

Members Present: Chairman Roers; Vice Chair Castaneda; Senators: Barta, Braunberger, Lee and Walen.

Discussion Topics:

- Statewide measure
- Eliminate secure mail

2:56 p.m. Committee discussion

3:09 p.m. Senator Braunberger moved Amendment LC #25.1189.01002.

3:09 p.m. Senator Castaneda seconded the motion.

Senators	Vote
Senator Kristin Roers	Y
Senator Jose L. Castaneda	Y
Senator Jeff Barta	Y
Senator Ryan Braunberger	Y
Senator Judy Lee	Y
Senator Chuck Walen	Y

Motion Passed 6-0-0

3:11 p.m. Senator Barta moved Do Pass as amended and rerefer to Appropriations.

3:11 p.m. Senator Walen seconded the motion.

Senators	Vote
Senator Kristin Roers	Y
Senator Jose L. Castaneda	Y
Senator Jeff Barta	Y
Senator Ryan Braunberger	Y
Senator Judy Lee	Y
Senator Chuck Walen	Y

Motion Passed 6-0-0

Senate State and Local Government Committee
SB 2230
2/13/2025
Page 2

Senator Walen will carry the bill.

3:15 p.m. Chair Roers closed the hearing.

Susan Helbling, Committee Clerk

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

NAT 2/13

SENATE BILL NO. 2230

1 of 2

Introduced by

Senators Myrdal, Hogue, Meyer

Representatives McLeod, Rohr

- 1 A BILL for an Act to create and enact a new section to chapter 16.1-01 of the North Dakota
2 Century Code, relating to the secretary of state's duty to distribute educational and informational
3 materials before an election; ~~and to provide an appropriation;~~ and to provide an expiration date.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 16.1-01 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Secretary of state to distribute information to qualified electors regarding ballot**
8 **measures.**

- 9 1. For each statewide constitutional measure approved by the legislative assembly,
10 initiated measure, or referendum appearing on the ballot of a special, primary, or
11 general election, the secretary of state shall create and distribute objective and factual
12 educational materials to each individual listed as "secured active" in the central voter
13 file not less than ~~thirty-five~~forty-five days before the election at which the question will
14 be voted upon.
- 15 2. The materials created and distributed under subsection 1 must contain:
- 16 a. An objective summary of the measure;
- 17 b. The anticipated fiscal impact of the measure;
- 18 c. Whether the measure was approved by the legislative assembly or originated as
19 an initiative or referred petition; and
- 20 d. An objective analysis of a vote in favor and a vote opposed.

SECTION 2. APPROPRIATION - SECRETARY OF STATE - BALLOT MEASURE

EDUCATIONAL MATERIALS. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of ~~\$250,000~~ \$600,000, or so much of the sum as may be necessary, to the secretary of state for the purpose of creating and distributing objective and factual educational materials ~~relating to~~ focusing on the accuracy, fairness, and readability of measures placed on a statewide election ballot as provided in section 1 of this Act, for the biennium beginning July 1, 2025, and ending June 30, 2027.

SECTION 3. EXPIRATION DATE. This Act is effective through June 30, 2027, and after that date is ineffective.

**REPORT OF STANDING COMMITTEE
SB 2230**

State and Local Government Committee (Sen. Roers, Chairman) recommends **AMENDMENTS** ([25.1189.01002](#)) and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). SB 2230 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

2025 SENATE APPROPRIATIONS

SB 2230

2025 SENATE STANDING COMMITTEE MINUTES

Appropriations - Government Operations Division Red River Room, State Capitol

SB 2230
2/18/2025

A BILL for an Act to create and enact a new section to chapter 16.1-01 of the North Dakota Century Code, relating to the secretary of state's duty to distribute educational and informational materials before an election; and to provide an appropriation; and to provide an expiration date.

5:01 p.m. Chairman Wanzek opened the hearing.

Members present: Chairman Wanzek, Vice-Chair Dwyer, Senator Burckhard, Senator Erbele, and Senator Sickler.

Discussion Topics:

- Increased appropriation

5:04 p.m. Chairman Wanzek deferred action on SB 2230 bill.

5:05 p.m. Chairman Wanzek closed the meeting.

Carol Thompson, Committee Clerk

2025 SENATE STANDING COMMITTEE MINUTES

Appropriations - Government Operations Division Red River Room, State Capitol

SB 2230
2/20/2025

A BILL for an Act to create and enact a new section to chapter 16.1-01 of the North Dakota Century Code, relating to the secretary of state's duty to distribute educational and informational materials before an election; and to provide an appropriation; and to provide an expiration date.

8:37 a.m. Chairman Wanzek opened the hearing.

Members present: Chairman Wanzek, Vice-Chair Dwyer, Senator Burckhard, Senator Erbele, and Senator Sickler.

Discussion Topics:

- Increased appropriation
- Direction for one election cycle

8:38 a.m. Chairman Wanzek delayed action until the bill's sponsor is able to address the committee.

8:40 a.m. Chairman Wanzek closed the hearing.

Carol Thompson, Committee Clerk

2025 SENATE STANDING COMMITTEE MINUTES

Appropriations - Government Operations Division Red River Room, State Capitol

SB 2230
2/20/2025

A BILL for an Act to create and enact a new section to chapter 16.1-01 of the North Dakota Century Code, relating to the secretary of state's duty to distribute educational and informational materials before an election; and to provide an appropriation; and to provide an expiration date.

3:31 p.m. Chairman Wanzek opened the meeting.

Members present: Chairman Wanzek, Vice-Chair Dwyer, Senator Burckhard, Senator Erbele, and Senator Sickler.

Discussion Topics:

- Transparency of ballot measures
- Chief Election Official for the State
- Fiscal note

3:31 p.m. Senator Myrdal, District 19, testified in favor.

3:41 p.m. Michael Howe, ND Secretary of State, testified in favor and submitted testimony #38261.

3:48 p.m. Senator Burckhard moved a Do Pass.

3:48 p.m. Alex Cronquist, LC Senior Fiscal Analyst, supplied budget information.

3:48 p.m. Senator Burckhard withdrew his motion.

3:48 p.m. Senator Dwyer moved to amend the bill to give it one-time funding.

3:48 p.m. Senator Sickler seconded the motion.

Senators	Vote
Senator Terry M. Wanzek	Y
Senator Randy A. Burckhard	Y
Senator Michael Dwyer	Y
Senator Robert Erbele	Y
Senator Jonathan Sickler	Y

Motion passed 5-0-0.

3:49 p.m. Senator Burckhard moved a Do Pass as Amended.

3:49 p.m. Senator Sickler seconded the motion.

Senators	Vote
Senator Terry M. Wanzek	Y
Senator Randy A. Burckhard	Y
Senator Michael Dwyer	Y
Senator Robert Erbele	Y
Senator Jonathan Sickler	Y

Motion passed 5-0-0

Senator Erbele will carry the bill.

3:50 p.m. Chairman Wanzek closed the meeting.

Carol Thompson, Committee Clerk

SENATE BILL NO. 2230 – Estimate Cost of Implementation

This estimate is based on the costs:

- To do a mailing prior to the primary and the general election (2 elections in a biennial cycle) and would not include any statewide special.
- To mail a document of 1 or 2 pages of information to voters. If there were a large number of measures this cost would increase with greater pages/mailing weight.

Active Voters – 450,000

Intent was to use “active voter” not “secured active” which is a protected class of voter information (law enforcement, judges, etc.). North Dakota has 594,140 eligible, but not all are considered an “active voter.”

Postage – \$400,000 (bulk rates range from .38 - .50 per piece)

Printing - \$200,000 (envelopes/mailer)

2025 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee Harvest Room, State Capitol

SB 2230
2/21/2025

A BILL for an Act to create and enact a new section to chapter 16.1-01 of the North Dakota Century Code, relating to the secretary of state's duty to distribute educational and informational materials before an election; to provide an appropriation; and to provide an expiration date.

10:06 a.m. Chairman Bekkedahl opened the hearing.

Members Present: Chairman Bekkedahl, Vice-Chairman Erbele, and Senators Burckhard, Cleary, Conley, Davison, Dever, Dwyer, Magrum, Mathern, Meyer, Schaible, Sickler, Sorvaag, Thomas, Wanzek.

Discussion Topics:

- Similarity of Montana's Program for Election Materials
- Objective Information on Elections
- Reevaluation of Program
- Information Included on Secretary of State's Website

10:06 a.m. Senator Erbele introduced the bill and submitted testimony #38356.

10:10 a.m. Senator Erbele moved amendment LC 25.1189.02001.

10:10 a.m. Senator Wanzek seconded the motion.

Senators	Vote
Senator Brad Bekkedahl	Y
Senator Robert Erbele	Y
Senator Randy A. Burckhard	Y
Senator Sean Cleary	Y
Senator Cole Conley	Y
Senator Kyle Davison	Y
Senator Dick Dever	Y
Senator Michael Dwyer	Y
Senator Jeffery J. Magrum	Y
Senator Tim Mathern	A
Senator Scott Meyer	Y
Senator Donald Schaible	Y
Senator Jonathan Sickler	Y
Senator Ronald Sorvaag	Y
Senator Paul J. Thomas	Y
Senator Terry M. Wanzek	Y

Motion Passed 15-0-1.

10:16 a.m. Senator Erbele moved a Do Pass as Amended.

10:16 a.m. Senator Wanzek seconded the motion.

Senators	Vote
Senator Brad Bekkedahl	Y
Senator Robert Erbele	Y
Senator Randy A. Burckhard	Y
Senator Sean Cleary	Y
Senator Cole Conley	Y
Senator Kyle Davison	Y
Senator Dick Dever	Y
Senator Michael Dwyer	Y
Senator Jeffery J. Magrum	Y
Senator Tim Mathern	Y
Senator Scott Meyer	Y
Senator Donald Schaible	Y
Senator Jonathan Sickler	Y
Senator Ronald Sorvaag	Y
Senator Paul J. Thomas	Y
Senator Terry M. Wanzek	Y

Motion Passed 16-0-0.

Senator Erbele will carry the bill.

10:16 a.m. Chairman Bekkedahl closed the hearing.

Elizabeth Reiten, Committee Clerk

February 20, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

**PROPOSED AMENDMENTS TO
FIRST ENGROSSMENT**

ENGROSSED SENATE BILL NO. 2230

Introduced by

Senators Myrdal, Hogue, Meyer

Representatives McLeod, Rohr

2-21-25
JAB 10/2

1 A BILL for an Act to create and enact a new section to chapter 16.1-01 of the North Dakota
2 Century Code, relating to the secretary of state's duty to distribute educational and informational
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10 initiated measure, or referendum appearing on the ballot of a special, primary, or
11 general election, the secretary of state shall create and distribute objective and factual
12 educational materials to each individual listed as "secured active" in the central voter
13 file not less than forty-five days before the election at which the question will be voted
14 upon.

15 2. The materials created and distributed under subsection 1 must contain:

16 a. An objective summary of the measure;

17 b. The anticipated fiscal impact of the measure;

18 c. Whether the measure was approved by the legislative assembly or originated as
19 an initiative or referred petition; and

1 d. An objective analysis of a vote in favor and a vote opposed.

2 **SECTION 2. APPROPRIATION - SECRETARY OF STATE - BALLOT MEASURE**

3 **EDUCATIONAL MATERIALS - ONE-TIME FUNDING.** There is appropriated out of any moneys
4 in the general fund in the state treasury, not otherwise appropriated, the sum of \$600,000, or so
5 much of the sum as may be necessary, to the secretary of state for the purpose of creating and
6 distributing objective and factual educational materials focusing on the accuracy, fairness, and
7 readability of measures placed on a statewide election ballot as provided in section 1 of this Act,
8 for the biennium beginning July 1, 2025, and ending June 30, 2027. The funding in this section
9 is considered a one-time funding item.

10 **SECTION 3. EXPIRATION DATE.** This Act is effective through June 30, 2027, and after that
11 date is ineffective.

**REPORT OF STANDING COMMITTEE
ENGROSSED SB 2230**

Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **AMENDMENTS** ([25.1189.02001](#)) and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). SB 2230 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

2-21-25

25.1189.02001
Title.

Prepared by the Legislative Council
staff for Senate Appropriations -
Government Operations Division
Committee

February 20, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO FIRST ENGROSSMENT

ENGROSSED SENATE BILL NO. 2230

Introduced by

Senators Myrdal, Hogue, Meyer

Representatives McLeod, Rohr

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3 **EDUCATIONAL MATERIALS - ONE-TIME FUNDING.** There is appropriated out of any moneys
4 in the general fund in the state treasury, not otherwise appropriated, the sum of \$600,000, or so
5 much of the sum as may be necessary, to the secretary of state for the purpose of creating and
6 distributing objective and factual educational materials focusing on the accuracy, fairness, and
7 readability of measures placed on a statewide election ballot as provided in section 1 of this Act,
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11 date is ineffective.

2025 HOUSE GOVERNMENT AND VETERANS AFFAIRS

SB 2230

2025 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Pioneer Room, State Capitol

SB 2230
3/13/2025

Relating to the secretary of state's duty to distribute educational and informational materials before an election; to provide an appropriation; and to provide an expiration date.

9:39 a.m. Chairman Schauer opened the hearing.

Members present: Chairman Schauer, Vice Chairman Satrom, Representatives Bahl, C. Brown, TJ Brown, Grindberg, Karls, McLeod, Rohr, Schneider, Steiner, VanWinkle, Vetter, Wolff

Discussion Topics:

- Information for the public
- Active voters

9:40 a.m. Senator Myrdal, District 19, introduced the bill.

9:46 a.m. Micheal Howe, North Dakota Secretary of State, testified in favor and submitted testimony, #41227.

Additional written testimony:

Jacob Thomsen, Policy Analyst of North Dakota Family Alliance Legislative Action, submitted testimony in favor, #41188.

10:02 a.m. Chairman Schauer closed the hearing.

Jackson Toman, Committee Clerk



Testimony in Support of Senate Bill 2230

Jacob Thomsen, Policy Analyst
North Dakota Family Alliance Legislative Action
March 13, 2025

Chairman Schauer and honorable members of the House Government and Veteran Affairs Committee,

North Dakota Family Alliance Legislative Action would like to testify in support of Senate Bill 2230 and respectfully request that you would render a "DO PASS" on this bill.

In my eight years as an eligible voter in North Dakota, I have noticed that information on ballot measures leaves a lot to be desired. Folks are bombarded with information from proponents and opponents of the measures, and it is hard to find reliable, unbiased information about them. This leaves many voters across our state going to the booth uneducated about the things that they are voting on.

This bill provides an avenue for the voters of North Dakota to be able to get that information directly from the state. Our organization is unequivocally in favor of unbiased information that educates the voters of our state on the sometimes-complex measures that are set before them. Because of this reason, North Dakota Family Alliance Legislative Action respectfully requests you render a "DO PASS" on Senate Bill 2230.

Thank you for the opportunity to provide this testimony, and feel free to contact us if you have any questions.

Sincerely,

Jacob Thomsen
Policy Analyst
North Dakota Family Alliance Legislative Action

**HOUSE GOVERNMENT AND VETERANS AFFAIRS COMMITTEE
REPRESENTATIVE AUSTEN SCHAUER, CHAIR****TESTIMONY PRESENTED BY****MICHAEL HOWE, SECRETARY OF STATE**

Chairman Schauer and members of the committee, I'm Michael Howe, North Dakota Secretary of State. I'm here to provide supporting testimony for SB 2230. This bill seeks to have the Secretary of State create and distribute information to voters by mail related to statewide ballot measures and the impacts of their yes or no vote.

SB 2230 would have our office send information regarding any statewide ballot measures to eligible voters prior to statewide elections that include ballot measures. Our office currently provides the ballot title, official ballot summary and fiscal impact for statewide measures on our website, however this would expand that information to include where the measure originated from – legislative action, initiated, or referred measure – as well as an objective analysis of what a vote in favor or opposition means. Most states provide information on ballot measures to their voters. About half of the states do this through online sources with varied information provided, the other half practice what this bill requires in mailing a “voter guide” to either households or individual voters.

Our office often receives calls during the election season from members of the public wanting more detail about specific ballot measures. We often point them to our website for the full ballot initiative text.

We do have one proposed amendment that was missed on the senate side that would make sure this bill is inclusive of the individuals the sponsor intended.

- Page 1, line 12: Replacement of “~~secured active~~” with “active voter.” Secured active is a status used to protect the records of law enforcement, judges, etc., so the original language excluded all other qualified voters which was not the intent of the sponsor. Active voter would include those who voted in a statewide election in the last 4 years, and those who have received and maintained a North Dakota driver's or North Dakota non-driver's ID, are United States citizens, and are 18 years of age by the date of the election.

This bill has a \$600,000 appropriation, which is our estimate related to printing and mailing costs for a piece that may provide information for possibly 1 or 2 measures to voters. If we would have 5 ballot measures as we did in the past election cycle, our office would need to seek greater funding through the Emergency Commission.

Chairman Schauer and members of the committee that concludes my testimony and I'll stand for any questions.

Fiscal note breakdown:

Estimated Numbers X 2 elections - This number is based on 2 elections in a biennial cycle and would not include any statewide special elections.

Active Voters – 450,000 (we have 594,140 eligible, but not all are considered “active voter” as described above)

Postage – \$400,000 (bulk rates range from .38 - .50 per piece) Printing - \$200,000 (envelopes/mailer)

2025 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Pioneer Room, State Capitol

SB 2230
3/20/2025

Relating to the secretary of state's duty to distribute educational and informational materials before an election; to provide an appropriation; and to provide an expiration date.

10:17 a.m. Chairman Schauer opened the meeting.

Members present: Chairman Schauer, Vice Chairman Satrom, Representatives Bahl, TJ Brown, Grindberg, Karls, McLeod, Rohr, Schneider, Steiner, VanWinkle, Wolff
Members absent: Representatives C. Brown, Vetter

Discussion Topics:

- Committee discussion
- Voter roll
- Posting at polling locations
- Initiated measures

10:19 a.m. Representative Wolff discussed possible amendments relating to mailers and pamphlets at polling locations.

10:20 a.m. The rest of the committee discussed their opinions.

10:25 a.m. Chairman Schauer closed the meeting.

Jackson Toman, Committee Clerk

2025 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Pioneer Room, State Capitol

SB 2230
3/27/2025

Relating to the secretary of state's duty to distribute educational and informational materials before an election; to provide an appropriation; and to provide an expiration date.

2:52 p.m. Chairman Schauer opened the meeting.

Members present: Chairman Schauer, Vice Chairman Satrom, Representatives Bahl, T. Brown, Grindberg, Karls, McLeod, Rohr, Schneider, Steiner, VanWinkle, Vetter, Wolff
Members absent: Representative C. Brown

Discussion Topics:

- Committee action
- Postings and active voters

2:53 p.m. Representative Wolff provided information to the committee.

2:54 p.m. Representative Vetter moved to amend section 1, lines 14 and 15 relating to posting locations.

2:55 p.m. Representative Grindberg seconded the motion.

2:59 p.m. Voice vote passed.

2:59 p.m. Representative Vetter moved a Do Pass as amended and rerefer to appropriations.

2:59 p.m. Representative Bahl seconded the motion.

Representatives	Vote
Representative Austen Schauer	Y
Representative Bernie Satrom	Y
Representative Landon Bahl	Y
Representative Collette Brown	AB
Representative Timothy Brown	Y
Representative Karen Grindberg	Y
Representative Karen Karls	Y
Representative Carrie McLeod	Y
Representative Karen M. Rohr	Y
Representative Mary Schneider	N
Representative Vicky Steiner	Y
Representative Lori VanWinkle	Y
Representative Steve Vetter	Y
Representative Christina Wolff	N

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SB 2230
3/27/2025
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3:02 p.m. Motion passed 11-2-1.

Representative Grindberg will carry the bill.

3:02 p.m. Chairman Schauer closed the meeting.

Jackson Toman, Committee Clerk

Sixty-ninth
Legislative Assembly
of North Dakota

**PROPOSED AMENDMENTS TO
SECOND ENGROSSMENT**

LO
3/27/25
1042

REENGROSSED SENATE BILL NO. 2230

Introduced by

Senators Myrdal, Hogue, Meyer

Representatives McLeod, Rohr

1 A BILL for an Act to create and enact a new section to chapter 16.1-01 of the North Dakota
2 Century Code, relating to the secretary of state's duty to distribute educational and informational
3 materials before an election; to provide an appropriation; and to provide an expiration date.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 16.1-01 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Secretary of state to distribute information to qualified electors regarding ballot**
8 **measures.**

- 9 1. For each statewide constitutional measure approved by the legislative assembly,
10 initiated measure, or referendum appearing on the ballot of a special, primary, or
11 general election, the secretary of state shall create and distribute objective and factual
12 educational materials to each individual listed as "~~secured~~-active voter" in the central
13 voter file not less than forty-five days before the election at which the question will be
14 voted upon. Materials created under this subsection also must be posted at all voting
15 locations.
- 16 2. The materials created and distributed under subsection 1 must contain:
- 17 a. An objective summary of the measure;
- 18 b. The anticipated fiscal impact of the measure;
- 19 c. Whether the measure was approved by the legislative assembly or originated as
20 an initiative or referred petition; and

1 d. An objective analysis of a vote in favor and a vote opposed.

2 **SECTION 2. APPROPRIATION - SECRETARY OF STATE - BALLOT MEASURE**

3 **EDUCATIONAL MATERIALS - ONE-TIME FUNDING.** There is appropriated out of any moneys
4 in the general fund in the state treasury, not otherwise appropriated, the sum of \$600,000, or so
5 much of the sum as may be necessary, to the secretary of state for the purpose of creating and
6 distributing objective and factual educational materials focusing on the accuracy, fairness, and
7 readability of measures placed on a statewide election ballot as provided in section 1 of this Act,
8 for the biennium beginning July 1, 2025, and ending June 30, 2027. The funding in this section
9 is considered a one-time funding item.

10 **SECTION 3. EXPIRATION DATE.** This Act is effective through June 30, 2027, and after that
11 date is ineffective.

**REPORT OF STANDING COMMITTEE
REENGROSSED SB 2230**

Government and Veterans Affairs Committee (Rep. Schauer, Chairman) recommends **AMENDMENTS** ([25.1189.03001](#)) and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 2 NAYS, 1 ABSENT OR EXCUSED AND NOT VOTING). SB 2230 was placed on the Sixth order on the calendar.

2025 HOUSE APPROPRIATIONS

SB 2230

2025 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee Roughrider Room, State Capitol

SB 2230
4/7/2025

A BILL for an Act to create and enact a new section to chapter 16.1-01 of the North Dakota Century Code, relating to the secretary of state's duty to distribute educational and informational materials before an election; to provide an appropriation; and to provide an expiration date.

9:12 a.m. Chairman Vigesaa opened the meeting.

Members present: Chairman Vigesaa, Representatives Anderson, Berg, Bosch, Brandenburg, Fisher, Hanson, Louser, Martinson, Meier, Monson, Murphy, Nathe, O'Brien, Pyle, Richter, Sanford, Stemen, Swiontek, Wagner

Members absent: Vice Chairman Kempenich, Representatives: Mitskog, J. Nelson

Discussion Topics:

- Mailed Election Materials
- Voter Guide
- Committee Action

9:12 a.m. Representative Schauer introduced the bill and submitted testimony #44717.

9:17 a.m. Michael Howe, ND Secretary of State answered questions.

9:26 a.m. Representative Meier moved Do Pass.

9:26 a.m. Representative Pyle seconded the motion.

9:30 a.m. Roll Call Vote

Representatives	Vote
Representative Don Vigesaa	Y
Representative Keith Kempenich	AB
Representative Bert Anderson	Y
Representative Mike Berg	Y
Representative Glenn Bosch	Y
Representative Mike Brandenburg	AB
Representative Jay Fisher	Y
Representative Karla Rose Hanson	Y
Representative Scott Louser	Y
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	AB
Representative David Monson	Y
Representative Eric J. Murphy	Y

Representative Mike Nathe	Y
Representative Jon O. Nelson	AB
Representative Emily O'Brien	Y
Representative Brandy L. Pyle	Y
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Gregory Stemen	Y
Representative Steve Swiontek	Y
Representative Scott Wagner	Y

9:30 a.m. Motion passed 19-0-4.

9:30 a.m. Representative Grindberg will carry the bill.

9:31 a.m. Chairman Vigesaa closed the meeting.

Krystal Eberle, Committee Clerk

REPORT OF STANDING COMMITTEE
REENGROSSED AND AMENDED SB 2230 ([25.1189.04000](#))

Appropriations Committee (Rep. Vigesaa, Chairman) recommends **DO PASS** (19 YEAS, 0 NAYS, 4 ABSENT OR EXCUSED AND NOT VOTING). Reengrossed SB 2230, as amended, was placed on the Fourteenth order on the calendar.

Thank you, Mr. Chairman and members of the House Appropriations Committee.

My name is Austen Schauer, District 13, West Fargo.

SB 2230 seeks to have the Secretary of State office create and distribute by mail voter information on ballot measures.

In the past, there have been many complaints from voters who find ballot language unclear and confusing.

Voter guides would be sent at least 45 days prior to the election (and prior to absentee ballots) to all **active voters**.

Active voters include those who have voted in a statewide election in the last four years.

The Voter Guides would include: (page 1 lines 16-20).

- **An objective summary of the measure.**
- **The anticipated fiscal impact of the measure.**
- **Whether the measure was approved by the legislative assembly or originated as an initiative or referred petition.**
- **An objective analysis of a vote in favor and a vote opposed.**

SB 2230 has a **\$600k** appropriation. That includes:

Postage – **\$400k**. (Bulk rates range from .38 - .50 per piece).

Printing - **\$200k**. (envelopes/mailer).

This would cover two elections in a biennium.

This is a one-time appropriation. If this is something the legislature feels is worthwhile in the future, it could be added to the Secretary of State budget in 2027, or another one-time bill would need to be drafted.

The intent of **SB 2230** is to provide clear and concise ballot measure information to **active voters** as the decisions made by them **will have** and **have had** significant impact on State Government.

Thank you, Mr. Chairman. I am open to questions and the Secretary of State is also here to address your questions.