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**Citizen Opinion: End The Practice of Regulation Without Representation**

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ND Watchdog Network <dgawrylow@watchingnd.com>  
To: Dustin Gawrylow <dgawrylow@gmail.com>

Thu, Jan 19, 2017 at 12:03 PM

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**Citizen Opinion by Kay LaCoe,  
Resident of Burleigh County and  
Subject of the City of Lincoln's  
Unchecked Regulatory Power  
Outside Its City Limits**

January 19th, 2017

Dear North Dakota Legislators and Citizens,

I urge the legislature to approve HB 1258 as it relates to the extraterritorial zoning and subdivision authority so that people like myself are no longer regulated by elected officials we have no ability to vote for or run against.

**To the Citizens of North Dakota: As one private citizen to others, please help me fight Regulations without Representation, you may not know when and how it will affect you in the future:**

**House Bill 1258 will be heard Friday January 20th @ 11 am in the House Political Subdivisions Committee.** This bill ends Regulation without Representation by cities on people who live outside of the city limits but subject to city zoning laws and other regulation. People in these zones have no right, currently, to vote for the people in city government that are regulating them. This bill tells cities to either annex the territory and promote Urban Sprawl or give back regulatory authority to the county. People in this zone do vote for county officials. [Click here to contact members of the committee.](#)

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## **Our Story:**

Twenty years ago, I moved with my parents out of town to enjoy country living on a 52-acre agriculturally zoned tract of land where we could raise horses and cattle and maybe an occasional few rows of corn for the wildlife.

Twelve years ago, my husband and I picked the perfect piece of rural residential property just one mile from my parents' acreage to live and raise a family and a couple of horses.

We didn't move, as some have accused, "so we could have the conveniences of city living without having to pay our share of it". We didn't move, as some have accused, into a "swanky, rich subdivision".

We moved long before the city, we are now controlled by, eyed our properties to overtake.

We moved where, before the laws changed, we were far outside of the ETA. It was perfect, until the amount of land in the ETA was doubled by the

legislature. It was perfect until we were transferred out of one city's ETA and into another's without any say or choice.

It was perfect until we were stripped of our right to regulation WITH representation. We knew and planned to live many, years before the ETA expanded, outside the ETA jurisdiction of both of the cities that were near us.

## **To Legislators And My Local Government Leaders:**

One of the biggest injustices brought about by the legislature's implementation and then expansion of the ETA was its detriment to residents that already lived where the ETAs showed up.

The ETA, if it has to exist, should have only applied to residents that had a choice of where they moved to after the fact, not on those who didn't have and still do not have a choice. As a result, city government creates, alters or imposes planning and zoning ordinances that directly impact the lives and livelihoods of ETA residents and we have absolutely no representation, recourse or reprieve.

A city's planning for ETA areas should not happen at the cost and detriment of the very people who will be directly impacted by their decisions but have no voice.

I would propose one thing as it relates to this bill and its passing. I would propose that the burden of future use and zoning planning should rest on the shoulders of those we are able to elect to make such decisions.

It not an illogical parallel to expect city and county government to work together, after all they are not mutually exclusive and one supports the other in many ways.

I urge you LET ME VOTE for the people who make decisions over my property and my life!

Please end regulation without representation and let ME have a say in who sets the rules on my life.

Please pass HB 1258 out of committee with a DO PASS recommendation.

Respectfully submitted,

Kay LaCoe, Regulated by the City of Lincoln but not a resident of Lincoln\_\_

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# Watchdog Legislative Alert: Property Tax Reform and More

As of January 19th, 2017

The following bills will be heard in committee in the coming days, **please contact your legislators** and the committee members (addresses below) and ask them to support these reforms:

# Property Tax Reform

House Bill 1326 has yet to be heard or scheduled (we will keep you up to date. It puts Schools, Counties, and Parks in charge of their tax revenue, and removes the ability from Cities to be able to exempt property from taxation without the approval of local school district, the county, and the local park board. This is Local Government Empowerment.

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Senate Bill 2166 was heard today in the Senate Finance and Tax Committee. This bill simply says that properties in Tax Increment Finance District cannot also be in the Renaissance Zone Program, and visa versa. [Click here to contact the members of the committee directly.](#)

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Senate Bill 2055 was heard earlier this month in the Senate Political Subdivisions Committee. This bill addresses the controversy in Bismarck in 2016 that erupted when the Mayor of Bismarck convinced the N.D. Department of Commerce to bend the rules and get around a rejection of the Renaissance Zone program by the Burleigh County Commission. (See [history here.](#)) SB 2055 fixes this problem and requires that both County and School District approval for this program - taking away the Commerce Department's ability to over-ride elected government decisions. [Click here to contact the committee directly.](#)

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House Bill 1244 will be heard on Friday, January 20th @ 10am in the House Energy and Natural Resources Committee. This bill requires a County Board of Commissioners (elected) to approve the use of eminent

domain by Water Resource Boards (unelected). [Click here to contact the committee to show your support.](#)

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**Dustin Gawrylow, Managing Director**

**North Dakota Watchdog Network**

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