

Senate Political Subdivisions
Chairman – Senator Randy Burckhard

Testimony

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HB 1165

Good morning Chairman Burckhard and members of the Senate Political Subdivisions Committee. My name is Shaun Sipma, and I am the Mayor of Minot. I want to thank you for the opportunity today to represent the City of Minot in opposing House Bill 1165.

According to its language, this bill would provide that “every resident of a city and any resident of the extraterritorial zone jurisdiction of the city who is qualified to vote at general elections may vote at all city elections held by that city.”

We believe this bill, if passed, would contribute to the erosion of local control, which is a critical element for the success of any municipal government.

States are best served when elected state officials are empowered to make decisions in the best interests of their residents.

Counties are best served when elected county officials are entrusted with decision-making authority.

And communities like Minot are best served when local elected leaders make decisions regarding the future of their cities and their residents.

That is why we believe HB1165 is unnecessary legislation that would complicate and hamper the efforts of cities to govern in the best interests of their residents.

No doubt we're all familiar with the phrase “Taxation without representation.” In fact, this slogan was one of the reasons behind the creation of our great nation, when patriots of the American revolution banded together in opposition to tyranny.

Today, HB 1165 amounts to “representation without taxation.”

Those who choose to live outside the City of Minot, for example, do not contribute to the city's annual budget through property taxes. They do not contribute to the cost of fire and police protection provided by the city. Their property taxes do not support the City of Minot's snow removal efforts or the construction of new roadways and improved infrastructure.

In addition, the property taxes paid by those who live in the two-mile ET zone do not support the Minot Park District and its efforts to create and operate recreational opportunities and attractions like the Roosevelt Park Zoo. Their property taxes also do not benefit the Minot Public School District; instead, the portion of their property taxes dedicated to schools is utilized by schools outside of Minot, such as Nedrose or South Prairie.

Those who live in the two-mile extraterritorial zone have made a purposeful choice to reside outside of their respective city. They may have different reasons for choosing to live there - perhaps they simply want to avoid the confines of a large city, but still enjoy being close to a larger community to take advantage of available opportunities, whether those opportunities are economic, educational, or personal. But those choices have conditions and consequences.

Boundaries matter. In Minot, our community is home to four separate legislative districts. But residents living within the boundaries of District 40 are not permitted to vote in District 38. Residents of District 3 do not vote in District 40. And residents of District 5 do not vote in District 38.

Why? Because boundaries matter.

It is true that residents living in the two-mile zone must abide by City of Minot building and planning codes, with good reason. These zones are created in anticipation of eventually being annexed into City limits. Applying the same codes now ensures that infrastructure like roads, sewer lines, water lines, and storm sewers are properly designed and are not at risk of needing costly replacement or repairs when they become the fiscal responsibility of City taxpayers.

The residents of the two-mile zone also have significant representation on the Minot Planning Commission; 3 of the 13 commission members are appointed by Ward County and live outside the City. That is done on purpose to ensure that residents in the two-mile zone have a voice in code issues that affect them. This is where they have a voice on matters that may impact them.

If HB 1165 is approved, residents living outside the City of Minot, for example, would have the same voting privileges as Minot residents on City Council elections, Minot Public School board elections and bond issues, and Minot Park Board issues, despite not contributing one dollar of property tax to support these entities.

Let's think about this issue in reverse: Should Minot residents vote in Nedrose school board elections, or on a South Prairie school bond issue? No, because residents living within Minot do not support these districts through property tax funding or by living within those districts; therefore, they have not earned a voice through the ballot box, either.

Local control must be maintained at all levels. HB 1165 would erode that control.

I appreciate the opportunity to appear before you today to discuss why we believe this legislation would be detrimental to communities across North Dakota. As Mayor of the City of Minot, I urge you to give HB 1165 a "Do Not Pass" recommendation.

Thank you and I would be happy to stand for any questions.