

For Immediate Release

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Brighter Future Alliance Announces Lawsuit to Keep Measure 3 off the 2020 Ballot

Bismarck, ND — The Brighter Future Alliance, a North Dakota-issue-based 501(c)(4) formed to protect the rights and interests of North Dakota citizens, today announced it has joined Major General (ret) Michael Haugen, Jacob Stutzman and Trent Barkus, all former or current members of our armed forces, in a petition requesting that the North Dakota Supreme Court order that Measure 3 be kept off the North Dakota ballot for failure to provide North Dakotans with the full text of the measure when it was circulated for signatures.

The North Dakota Supreme Court established a longstanding precedent in the 1924 case of *Dyer v. Hall* that when a proposed constitutional amendment makes reference to existing statutes and is circulated for signatures, the referenced statutes must also be circulated with the proposed measure.

“There is no question of fact here at all,” said Lacey Anderson, spokesperson for the Brighter Future Alliance. “Not one signature gatherer provided a copy of the statute referenced in the measure. Average North Dakotans do not walk around with a copy of the North Dakota Century Code in their hands. When people, walking into local grocery stores and other businesses, were approached to sign this petition, they were told it would help our heroes vote, but they were not given the full text of the measure. In no case was a copy of the referenced Code provisions provided to the voter as required by law,” said Anderson.

“Further, as a licensed attorney in North Dakota, I think this whole measure was poorly drafted. Who puts a statutory reference in the constitution? Our state constitution creates the legislature. By referencing a statute in a proposed amendment to that constitution, you are also proposing to give the legislature a backdoor to amend our state constitution directly. That takes power away from the people,” said Anderson.

“I signed the petition, and I regret it,” said Jacob Stutzman, Sargent, Army (ret), in a statement. “I was told our oversees military would get more time to vote. I was not shown the text of the measure, nor the Century Code that was supposed to accompany it. I was not told about all the stuff that was in this measure—like open primaries, rank choice voting, and the fact that I would be guaranteed to lose one of my three legislators if this thing passed,” said Stutzman.

Major General (ret) Michael Haugen, former Adjutant General of the North Dakota National Guard, stated, “I am appalled that radical out-of-state special interest groups would use our deployed men and women to hide everything else going on in this measure and hide their true intentions. I am doing everything I can to oppose this measure, and that is why I have joined this lawsuit, asking the Supreme Court to fix this fraud.”

Trent Barkus, an attorney and member of the Naval Reserves, stated, “I have voted while on active duty. Our deployed men and woman can easily cast a ballot in North Dakota from wherever the nation needs them. We really don’t need more time. I oppose Measure 3 because many, many people were duped into signing something that was falsely advertised, and because those who signed were not given the full text of the measure as is required by North Dakota law.”

There are five disconnected concepts in Measure 3 in an all-or-nothing scenario that proposes to radically change North Dakota's election system and the legislative redistricting process. "Three of the five, taken separately, are huge changes," Anderson said. "Together, they are totally unprecedented and wrong for North Dakota."

Measure 3 reduces legislative representation in the ND House of Representatives from two down to one without reducing the overall numbers in the House. It proposes to subdivide each Senatorial district into two House of Representative districts. In each of these new districts, one representative is elected effectively cutting in half the representation each citizen receives in the North Dakota House.

Measure 3 introduces ranked choice voting, a method of voting where the person with the most votes is no longer guaranteed to win. In fact, elections will be decided by spreadsheet, not ballots, and the person voting for fringe candidates will unfairly get two or more votes where the person voting for mainstream candidates may only get one vote.

Measure 3 fundamentally changes the way elections are held in North Dakota. The measure would create open primaries in violation of our constitutionally guaranteed right of association. The measure would also allow candidates to hide their true political affiliation and agenda.

"Our group wants to hold the Measure 3 proponents accountable. They should have followed the law, but they have consistently disregarded the mandated full disclosure of the measure's content required by our constitution, both during the signature gathering and in the document itself. All done to deliberately hide the more draconian elements of the proposal." said Anderson.

As Petitioners in the lawsuit, the group is seeking a "Writ of Injunction" from the North Dakota Supreme Court prohibiting the Secretary of State from placing Measure 3 on the November 2020, general election ballot.

Media Reference: Access the Petition for Writ of Injunction and Appendix at this link: <https://brighterfuturealliance.org/>

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