



## **CLIENT ADVISORY: NORTH DAKOTA 2024 ELECTION RESULTS**

### **Overview**

Most of North Dakota's high-profile races were decided in the June primary this year, however the November 5th ballot contained five rather significant statewide ballot measures and a few down-to-the-wire legislative competitions. With 94% of precincts reported before midnight, here are the highlights from Tuesday night.

### **Federal Level**

#### **Senate**

Senator Kevin Cramer defeated Democrat challenger Katrina Christiansen, 66%-34%.

#### **US House**

Republican Julie Fedorchak, a current Public Service Commissioner, made history Tuesday night as the first female elected to represent North Dakota in the U.S. House of Representatives. She defeated Democrat Trygve Hammer 69%-31% and replaces Kelly Armstrong in the at-large seat.

### **North Dakota Legislature**

Legislative elections involved the even-numbered districts this year with two additional odd-districts (9 and 15) due to a legal challenge to the 2021 redistricting maps. In each of the 47 legislative districts in North Dakota there is one Senator and two Representatives. With retirements and legislators running for the other chamber, 24 new legislators are heading to Bismarck in January--10 in the senate and 14 in the house. The supermajority in the senate lessens slightly from 43-4 to 42-5, and the supermajority in the house moved from 82-12 to 83-11.

## **Senate**

There were just a handful of contested races to watch on Tuesday night, including two incumbent upsets:

- D9 (north central ND): In 2022, a lawsuit was filed by the Turtle Mountain Band of Chippewa and Spirit Lake Nation challenging North Dakota's 2021 redistricting map after the 2020 census. Federal Judge Peter Welte ruled in favor of the tribes and selected new district maps, impacting the current lawmakers in districts 9 and 15, and with slight changes to district 14's lines. Senator Kent Weston, originally representing district 9 since 2022, now falls within district 15. He ran unopposed for election there and will return to the Senate for a new district. Senator Judy Estenson (R-15) then found herself facing re-election within district 9's boundaries, and was challenged by former Democrat senator Richard Marcellais. Marcellais beat Estenson by a margin of 61%-39% and gives the Democrats a net gain of 1 in the Senate.
- D10 (central Fargo): After being elected in 2022, legislators in district 10 had to turn around and run again. Democrat incumbent Ryan Braunberger faced a challenge from newcomer Republican George Roughead who campaigned with veteran lawmaker Rep. Steve Swiontek. Ultimately, Braunberger prevailed, 51%-49%.
- D42 (Grand Forks/UND campus): Former House member Claire Cory replaces retiring Sen. Kreun after defeating Democrat Rodney John Gigstad, 60%-40%.

There will be 10 freshmen members of the upper chamber (8 Republicans and 2 Democrats), including three previous House members who will cross the hall from last session (Senators-elect Paul Thomas, Josh Boschee, and Claire Cory).

## **House**

Contested house races were held in the same districts as the contested senate races, plus a few additional districts, including the reservation districts where new maps were adopted. 14 new members will join the House of Representatives, including 12 Republicans and 2 Democrats.

- D9 (north central ND): Rep. Donna Henderson(R) is now in district 15 and ran unopposed for re-election. She will join Rep. Kathy Froelich in representing district 15 (Ramsey, Cavalier, and Towner counties). In the new district 9, incumbent Rep. Jayme Davis(D) and her running mate Collette Brown faced two Republican newcomers, David Brien and Robert Graywater, but prevailed as the top two finishers with 32% and 24.43%.

Brien pulled in 24.03%, or .37% less than Brown, which triggers an automatic recount. If Brown prevails, her victory will flip the seat from Republican to Democrat.

- D10 (central Fargo): In district 10, Republican Steve Swiontek will return for a full 4-year term. Representative Hamida Dakane (D) faced a challenge from political operative Jared Hendrix, known for running primary candidates against incumbent Republicans throughout the state. Swiontek was vocal about his support for Rep. Dakane and did not ultimately campaign with Hendrix. Swiontek and Hendrix were the first and second place finishers, unseating Dakane and flipping that seat for the GOP.
- D18 (Grand Forks): Rep. Corey Mock was one of two Democrats from the four Grand Forks-area districts, and he announced his retirement earlier this year. Rep. Steve Vetter joined newcomer Republican Nels Christianson on the Republican ticket while former legislator Mary Adams and Scott Nelson ran with the Democratic nomination. On Tuesday, Vetter was the top vote-getter while Christianson took second place with 24.35%, just .52% more than Mary Adams (within the margin for a demand recount).
- D23 (Western border) In an election to replace retiring member Scott Dyk, Republican Dennis Nehring beat Democrat Mark Casler and will fulfil the remaining two years of the term.
- D42 (Grand Forks/UND): In Grand Forks' district 42, Doug Osowski (R) had finished first in the primary, leaving incumbent Rep. Emily O'Brien anticipating a harder race than previous years with two additional Democrats on the ballot, Sarah Grossbauer and Carol L Hagen. Osowski and O'Brien won with 31% and 27%, respectively.
- D46 (SE Fargo): Both Senator Jim Roers and his daughter, Rep. Shannon Roers Jones, decided not to run in 2024, leaving Rep. Jim Kasper as the only incumbent on the ticket. Despite direct mail attacks from Brighter Future Alliance PAC, Rep. Kasper took first place on Tuesday night. Republican newcomer Desiree Morton will also join him in the house.

Leadership elections in both chambers will be held next week. Current House Majority Leader Mike Lefor faces a challenge from Rep. Ben Koppelman from West Fargo. Rep. Robin Weisz is running unopposed for House Speaker. Senate Majority Leader David Hogue is, thus far, unchallenged.

## **Statewide Contests**

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With no surprises on Tuesday, the North Dakota State Capitol remains Republican-controlled from top to bottom.

### **Governor**

Republican nominees Kelly Armstrong and Michelle Strinden defeated Democrats Merrill Piepkorn and Patrick Hart by a margin of 68%-26%. The independent candidates Michael Coachman and Lydia Gessele received less than 6% of the vote.

### **Auditor**

Incumbent Josh Gallion (R) was re-elected by a 69%-31% margin over Tim Lamb (D).

### **Treasurer**

Incumbent Thomas Beadle who was first elected in 2020 did not face an opponent.

### **Insurance Commissioner**

Commissioner Jon Godfread, in his race for a third term, again faced no opposition.

### **Public Service Commissioner**

Republican incumbent Public Service Commissioner Randy Christmann was re-elected to serve a full 6-year term on the PSC by a margin of 70%-30% over challenger Tracey Wilkie(D).

### **State Superintendent of Public Instruction**

Incumbent Kirsten Baesler won her decisive fourth term, defeating challenger Jason Heitkamp, 57%-42%.

### **Ballot Measures**

#### **Measure 1 – Outdated Constitutional Terminology: Passed 84% - 16%**

Measure 1, a legislatively referred constitutional measure, passed handily. It updates outdated and discriminatory terminology in the constitution as related to public institutions of the state.

#### **Measure 2 – Pass it Twice: Failed 43% - 57%**

Measure 2 attempted to reform the initiated constitutional measure process. It required each initiated constitutional amendment to be limited to one subject and

circulated by qualified electors. Further, each constitutional measure must be placed on the next primary election ballot, and if passed, placed subsequently on the general election ballot—passing both to be enacted. The legislative sponsors were loudest in favor of with a goal of limiting out-of-state money in the constitutional amendment process, while opponents argued it diluted the power of one person, one vote, and impacted North Dakota citizens more than outside actors attempting to change the state’s constitution via the ballot process.

**Measure 3 – Legacy Fund Earnings: Passed 52% - 48%**

Measure 3 impacts North Dakota’s sovereign wealth fund, the Legacy Fund, and now decreases the amount of principal available for spending each biennium from 15% to 5%, still requiring a 2/3rds vote from both chambers of the legislative assembly. It also clarifies the distributions from the Legacy Fund.

**Measure 4 – Property Tax Prohibition: Failed 37% - 63%**

A constitutional ballot measure to eliminate property taxes and require the state to supplement that revenue in payments to local subdivisions was estimated to cost \$3.15 billion per biennium. The measure’s sponsoring committee, led by former lawmaker and failed Congressional candidate Rick Becker, argued that taxpayers would feel relief if the state took over property tax payments, while allowing full local control to levy or raise other taxes. Keep it Local, a coalition of over 105 organizations formed to oppose the measure, raised over \$1.8 million and ran an aggressive campaign to defeat it. Their message prevailed, convincing voters that this measure would threaten funding to local governments for basic services including emergency management services, school operations, and local infrastructure projects, with no plan behind it.

**Measure 5 – Legalization of Marijuana: Failed 48% - 52%**

Measure 5, a citizen-initiated measure, sought to legalize recreational adult-use of cannabis by allowing adults over 21 to use and grow marijuana in private homes for recreation and setting parameters for purchase and possession amounts. Spearheaded by a conservative committee, the measure was mainly opposed by law enforcement officials and the health care community. Voters passed medical marijuana in 2016, but rejected recreational marijuana measures in both 2018 and 2022. On this third attempt, voters still rejected the option to legalize marijuana by a 46% - 54% margin.

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**We will continue to keep you updated on any movement in North Dakota as it relates to your interest and operations in the state. Please don't hesitate to reach out with any questions.**



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