

FREEDOMINDEX.US

LEGISLATIVE SCORECARD

BASED ON THE PRINCIPLES OF THE U.S. CONSTITUTION



View the Freedom Toolbox

Scan to learn more about the Freedom Index, view legislative alerts, and deepen your understanding of the U.S. Constitution and America's founding principles. Visit <https://freedomindex.us/tools/>



Robert Erbele

North Dakota Senator, SD-028 (R)

freedomindex.us/7918/



ND Legislative Scorecard 2025: 33%

✓ Constitutional ✗ Unconstitutional — Did not Vote **Vote**

1. Increasing Medicaid: Increases the "personal monthly needs allowance" for Medicaid recipients by \$15 beginning July 1, 2025, and requires an adjustment annually based on inflation.

Estimated Cost per household: **-\$4.00/year.**

Constitutional: **No** · Cast: **Yes** · HB1485 · Passed 46–1 · 04/28/2025



2. Prohibiting Ranked-Choice Voting: Prohibits ranked-choice voting, as well as approval voting, in all elections.

Constitutional: **Yes** · Cast: **Yes** · HB1297 · Passed 38–8 · 04/08/2025



3. Repeal of Marriage Tax Penalty: Would have repealed the state's income tax "marriage penalty."

Constitutional: **Yes** · Cast: **No** · HB1388 · Rejected 13–33 · 03/25/2025



4. Warrantless Arrest for "Harassment": Creates an exemption for a law-enforcement officer to arrest a person without a warrant for the offense of "harassing" a public safety agency.

Constitutional: **No** · Cast: **Yes** · HB1418 · Passed 44–1 · 03/25/2025



5. Ban on Central Bank Digital Currency: Would have excluded a Central Bank Digital Currency from the definition of "money," while recognizing gold and silver specie as "legal tender."

Constitutional: **Yes** · Cast: **Yes** · HB1441 · Rejected 18–27 · 03/10/2025



6. Stopping Carbon-Capture Pipelines: Would have revoked the common-carrier status of, and ended the use of eminent domain for, carbon dioxide pipelines.

Constitutional: **Yes** · Cast: **No** · SB2322 · Rejected 21–26 · 02/10/2025



Why do these votes matter?

1. Increasing Medicaid

HB1485 increases the "personal monthly needs allowance" for Medicaid recipients by \$15 beginning July 1, 2025, and requires an adjustment annually based on inflation.

Health care is not the role of government, and taxation in the name of "social welfare" is neither just nor charitable. In fact, Medicaid is a jointly financed federal-state program that is unauthorized according to Article 1, Section 8, of the U.S. Constitution. It relies on discriminatory forms of taxation that provide "medical assistance benefits" to "eligible persons," who have little or no tax liability, at the expense of others-resulting in more debt, dependency, and poverty. The Bill of Rights and the 14th Amendment were written to prevent such "nanny state" policies and the reckless use of taxpayer money.

2. Prohibiting Ranked-Choice Voting

HB1297 prohibits ranked-choice voting, as well as approval voting, in all elections.

All efforts to enact ranked-choice voting or approval voting should be opposed. These complicated, multiple-round, and unconstitutional methods weaken election integrity by permitting a candidate to potentially win without genuine support from a plurality of voters. The schemes' ballot casting procedures cause voter disenfranchisement by undermining the value of each citizen's vote and could deny them their right to select the one and only candidate of their choice.

3. Repeal of Marriage Tax Penalty

HB1388 would have repealed the state's income tax "marriage penalty."

The income tax, let alone the penalizing of marriage, is an immoral, anti-constitutional act of government-imposed theft that takes from people the wages they have rightfully earned. It turns citizens into slaves. A person's property, including their income, belongs solely to them-not the state. The Bill of Rights and the 14th Amendment expressly affirm that "No State" shall unjustly "deprive any person" of "liberty, or property." North Dakota ought to reject oppressive, big government by protecting property rights.

4. Warrantless Arrest for "Harassment"

HB1418 creates an exemption for a law-enforcement officer to arrest a person without a warrant for the offense of "harassing" a public safety agency.

This ill-advised bill vaguely defines "harassment" as the intent to "annoy" or "frighten" another person or public safety agency. A person could be wrongly subject to warrantless arrest and guilty of an offense for making "a telephone call anonymously or in offensively coarse language" to a "911 emergency line, public safety answering point, or an emergency responder communication system." Apart from exigent circumstances (i.e., imminent harm, the destruction of evidence, or the escape of a suspect), the U.S. Constitution's Fourth Amendment explicitly protects every American from warrantless arrest. North Dakota lawmakers should strictly uphold, not needlessly violate, the Bill of Rights.

5. Ban on Central Bank Digital Currency

HB1441 would have excluded a Central Bank Digital Currency from the definition of "money," while recognizing gold and silver specie as "legal tender."

A Central Bank Digital Currency would be an unconstitutional and intolerable expansion of tyranny under the Federal Reserve-presenting a significant danger to Americans' civil liberties by decimating personal privacy and enabling a full-fledged surveillance state. According to Article 1, Section 10, of the U.S. Constitution, "No State shall...make any Thing but gold and silver Coin a Tender in Payment of Debts." The States can and must act now to avow their adherence to constitutionally sound money.

6. Stopping Carbon-Capture Pipelines

SB2322 would have revoked the common-carrier status of, and ended the use of eminent domain for, carbon dioxide pipelines.

The recent and dangerous expansion of carbon-capture storage systems in the United States is closely connected to the United Nations' 2030 Agenda for "sustainable development," which seeks to codify extreme "environmental justice" measures into state law. Its push for a "decarbonized" economy on behalf of "vulnerable populations" is nothing other than a fanatical attempt by globalist elites to expand their taxing power and authority. The abuse of eminent domain for these carbon-capture pipelines encroaches upon the constitutionally protected property rights of North Dakotans. If America is to truly remain the "land of the free," then the States and the people must reject the hoax of "climate change" and put an end to the global war on farmers and ranchers.