

# CONSTITUTIONAL AMENDMENTS DISAPPROVED

## CHAPTER 496

### SENATE CONCURRENT RESOLUTION NO. 4009

(Senators Sitte, Luick, Unruh)  
(Representatives Damschen, Heller, Rohr)

### RECOGNITION AND PROTECTION OF RIGHT TO LIFE

A concurrent resolution to create and enact a new section to article I of the Constitution of North Dakota, relating to the inalienable right to life of every human being at every stage of development.

#### STATEMENT OF INTENT

This measure would provide that the inalienable right to life of every human being at any stage of development must be recognized and protected.

#### **BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

That the following proposed new section to article 1 of the Constitution of North Dakota is agreed to and must be submitted to the qualified electors of North Dakota at the general election to be held in 2014, in accordance with section 16 of article IV of the Constitution of North Dakota.

**SECTION 1.** A new section to article I of the Constitution of North Dakota is created and enacted as follows:

The inalienable right to life of every human being at any stage of development must be recognized and protected.

Disapproved November 4, 2014

90,224 to 161,303

NOTE: This was measure No. 1 on the 2014 general election ballot.

## CHAPTER 497

### HOUSE CONCURRENT RESOLUTION NO. 3047

(Representatives Carlson, Martinson, Nathe, Vigesaa)  
(Senators Grindberg, Hogue, Schaible)

### STATE BOARD OF HIGHER EDUCATION REPEAL

A concurrent resolution to create and enact a new section to article VIII of the Constitution of North Dakota, relating to the creation of a commission of higher education; to repeal section 6 of article VIII of the Constitution of North Dakota, relating to the state board of higher education; and to provide an effective date.

#### STATEMENT OF INTENT

This measure would create a three-member commission of higher education beginning on July 1, 2015, to oversee and administer the provision of all public higher education in this state.

#### BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the following proposed new section to article VIII of the Constitution of North Dakota and the repeal of section 6 of article VIII of the Constitution of North Dakota are agreed to and must be submitted to the qualified electors of North Dakota at the general election to be held in 2014, in accordance with section 16 of article IV of the Constitution of North Dakota.

**SECTION 1.** A new section to article VIII of the Constitution of North Dakota is created and enacted as follows:

1. A three-member commission of higher education is created for the purpose of overseeing and administering the provision of public higher education at sites that include Bismarck, Bottineau, Devils Lake, Dickinson, Fargo, Grand Forks, Mayville, Minot, Valley City, Wahpeton, and Williston.
2. The governor shall appoint each member of the commission from a list of at least three nominees agreed to by a majority of the following:
  - a. The speaker of the house of representatives;
  - b. The president pro tempore of the senate;
  - c. The chief justice of the North Dakota supreme court;
  - d. The superintendent of public instruction; and

- e. A representative of an educational interest group selected by three of the four aforementioned individuals.
- 3. The governor shall ensure that one member of the commission has leadership experience in a private sector business, industry, or service, and that one member, at the time of appointment, holds a professional position within the higher education sector. Each member of the commission must be confirmed by the senate.
- 4. The term of office for each commission member is four years, except that the initial terms must be staggered by lot so that no more than one member's term expires each year. Each term begins on July first and members may be reappointed to three consecutive terms.
- 5. A member of the commission is subject to removal by impeachment in the same manner as that established for the removal of the governor.
- 6. a. The commission has full executive responsibility for the management and operation of the North Dakota university system, within constitutional and statutory requirements and limitations.  
b. The commission shall hire a president for each institution within the system and each president shall report to the commission.
- 7. The legislative assembly may provide for the appointment of an advisory board that includes a faculty and a student representative.

**SECTION 2. REPEAL.** Section 6 of article VIII of the Constitution of North Dakota is repealed.

**SECTION 3. EFFECTIVE DATE.** If approved by the electors, this measure becomes effective on July 1, 2015.

Disapproved November 4, 2014

61,007 to 182,492

NOTE: This was measure No. 3 on the 2014 general election ballot.

## CHAPTER 498

### HOUSE CONCURRENT RESOLUTION NO. 3011

(Representatives Carlson, Delzer, Devlin, Monson)  
(Senators Grindberg, Hogue)

### FISCAL IMPACT AND PLACEMENT OF INITIATED MEASURES

A concurrent resolution to amend and reenact section 2 of article III of the Constitution of North Dakota, relating to the fiscal impact of measures to initiate constitutional amendments and to the placing of initiated measures on the ballot.

#### STATEMENT OF INTENT

The measure would require that initiated measures that are estimated to have a significant fiscal impact must be placed on the general election ballot. The measure also would prohibit the approval for circulation of any petition to initiate a constitutional amendment that would make a direct appropriation of public funds for a specific purpose or require the legislative assembly to appropriate funds for a specific purpose.

#### BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the following proposed amendment to section 2 of article III of the Constitution of North Dakota is agreed to and must be submitted to the qualified electors of North Dakota at the general election to be held in 2014, in accordance with section 16 of article IV of the Constitution of North Dakota.

**SECTION 1. AMENDMENT.** Section 2 of article III of the Constitution of North Dakota is amended and reenacted as follows:

**Section 2.** A petition to initiate or to refer a measure must be presented to the secretary of state for approval as to form. A request for approval must be presented over the names and signatures of twenty-five or more electors as sponsors, one of whom must be designated as chairman of the sponsoring committee. The secretary of state shall approve the petition for circulation if it is in proper form and contains the names and addresses of the sponsors and the full text of the measure.

The legislative assembly may provide by law for a procedure through which the legislative council may establish an appropriate method for determining the extent of the fiscal impact of an initiative measure and for making the information regarding the fiscal impact of the measure available to the public. A measure determined to have a significant fiscal impact must be voted on at a general election.

If a petition to initiate a constitutional amendment would make a direct appropriation of public funds for a specific purpose or would require the legislative

assembly to appropriate funds for a specific purpose, the petition may not be approved for circulation.

Disapproved November 4, 2014

104,245 to 135,899

NOTE: This was measure No. 4 on the 2014 general election ballot.