

AMENDMENTS TO THE CONSTITUTION

1914

STATEMENT OF THE STATE BOARD OF CANVASSERS

as to the

VOTE CAST ON CONSTITUTIONAL AND STATUTORY AMENDMENTS AT THE GENERAL
ELECTION HELD NOVEMBER 3RD, 1914.

We, the undersigned, Thomas Hall, Secretary of State, Carl Jorgenson, State Auditor, Gunder Olson, State Treasurer, Andrew Miller, Attorney General, and E. J. Taylor, Superintendent of Public Instruction, constituting the State Board of Canvassers for the General Election held on the 3rd day of November, 1914, hereby certify that the foregoing abstract of votes cast for and against the Constitutional and Statutory Amendments and for the several candidates for the United States Senator, Representatives in Congress, state officers and members of the legislature, has been canvassed by us; and further, that the said abstract contains the names of all candidates for United States Senator, Representatives in Congress, state officers and members of the legislature voted for at the said General Election, and with the number of votes received by each and for what office, together with the titles of each and every proposed Constitutional and Statutory Amendment and the vote cast for and against each; and, further, that the following named persons were duly elected to the respective offices for which they were candidates and also that the following Constitutional and Statutory Amendments were adopted or rejected as indicated by the statement following each of such Constitutional and Statutory Amendments as hereinafter set forth.

ARTICLE XV.

§ 25. The legislative authority of the State of North Dakota shall be vested in a legislative assembly, consisting of a senate and house of representatives, but the people reserve to themselves power to propose laws and to enact or reject the same at the polls, independent of the legislative assembly, and also reserve power, at their own option, to approve or reject at the polls, any act, item, section or part of any act or measure passed by the legislative assembly. The first power reserved by the people is the initiative, or the power to propose measures for enactment into laws, and at least ten per cent. of the legal voters to be secured in a majority of the counties of this state shall be required to propose any measure by initiative petition, and every such petition shall include the full text of the measure so proposed. Initiative petitions shall be filed with the Secretary of State not less than thirty days before any

regular session of the legislative assembly; he shall transmit the same to the legislative assembly as soon as it convenes. Such initiative measure shall take precedence over all other measures in the legislative assembly except appropriation bills, and shall be either enacted or rejected without change or amendment by the legislative assembly within forty days. If any such initiative measure shall be enacted by the legislative assembly it shall be subject to referendum petition or it may be referred by the legislative assembly to the people for approval or rejection. If it is rejected or no action is taken upon it by the legislative assembly within said forty days, the Secretary of State shall submit it to the people for approval or rejection at the next ensuing regular general election. The legislative assembly may reject any measure so proposed by initiative petition and propose a different one to accomplish the same purpose, and in any such event both measures shall be submitted by the Secretary of State to the people for approval or rejection at the next ensuing regular election. If conflicting measures submitted to the people at the next ensuing election shall be approved by a majority of the votes severally cast for and against the same, the one receiving the highest number of affirmative votes shall thereby become valid, and the other shall thereby be rejected. The second power is the referendum, or the power to order any act, item, or part of any act to be referred to the people for their approval or rejection at the polls, and it may be ordered (except as to laws necessary for the immediate preservation of the public peace, health or safety), as to any measure or any parts, items or sections of any measures passed by the legislative assembly either by a petition signed by ten per cent. of the legal voters of the state from a majority of the counties, or by the legislative assembly if a majority of the members elect vote therefor. When it is necessary for the immediate preservation of the public peace, health or safety that a law shall become effective without delay, such necessity and the facts creating the same shall be stated in one section of the bill, and if upon aye and nay vote in each house two-thirds of all the members elected to each house shall vote on a separate roll call in favor of the said law going into instant operation for the immediate preservation of the public peace, health or safety, such law shall become operative upon approval by the Governor.

The filing of a referendum petition against one or more items, sections or parts of an act shall not delay the remainder of that act from becoming operative. Referendum petitions against measures passed by the legislative assembly shall be filed with the Secretary of State not more than ninety days after the final adjournment of the session of the legislative assembly which passed the measure on which the referendum is demanded. The veto power of the Governor shall not extend to measures referred to the people. All elections on measures referred to the people of the state shall be had at biennial regular elections, except as provision may be made

by law for a special election or elections. Any measure referred to the people shall take effect when it is approved by a majority of the votes cast thereon and not otherwise, and shall be in force from the date of the official declaration of the vote.

The enacting clause of all the initiative bills shall be, "Be it enacted by the people of the State of North Dakota." This Section shall not be construed to deprive any member of the legislative assembly of the right to introduce any measure. The whole number of votes cast for Secretary of State at the regular election last preceding the filing of any petition for the initiative and referendum shall be the basis upon which the number of legal voters necessary to sign such petition shall be counted.

Petitions and orders for the initiative and for the referendum shall be filed with the Secretary of State, and in submitting the same to the people he and all other officers shall be guided by the general laws and the acts submitting this amendment until legislation shall be especially provided therefor.

This amendment shall be self executing, but legislation may be enacted to facilitate its operation.

Yes..... 48,783
No 19,964

A majority of the voters voting on said proposed amendment having voted in favor of the adoption of the said proposed amendment, the said proposed amendment is hereby duly declared carried and adopted.

ARTICLE XVI.

§ 202. This Constitution may be amended as follows:

FIRST: Any amendment or amendments to this Constitution may be proposed in either house of the legislative assembly; and if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendments shall be entered on the journal of the house with the yeas and nays taken thereon, and referred to the legislative assembly to be chosen at the next general election, and shall be published, as provided by law, for three months previous to the time of making such choice, and if the legislative assembly so next chosen as aforesaid such proposed amendment or amendments shall be agreed to by a majority of all members elected to each house, then it shall be the duty of the legislative assembly to submit such proposed amendment or amendments to the people in such manner and at such times as the legislative assembly shall provide; and if the people shall approve and ratify such amendment or amendments by a majority of the electors qualified to vote for members of the legislative assembly voting thereon, such amendment or amendments shall become a part of the Constitution of this state. If two or more amendments shall be submitted at the same time, they shall be submitted in such manner that the electors shall vote for or against each of such amendments separately.

SECOND: Any amendment or amendments to this Constitution may also be proposed by the people by the filing with the Secretary of State, at least six months previous to a general election, of an initiative petition containing the signatures of at least twenty-five per cent. of the legal voters in each of not less than one-half of the counties of the state. When such petition has been properly filed the proposed amendment or amendments shall be published as the legislature may provide, for three months previous to the general election, and shall be placed upon the ballot to be voted upon by the people at the next general election. Should any such amendment or amendments proposed by initiative petition and submitted to the people receive a majority of all the legal votes cast at such general election, such amendment or amendments shall be referred to the next legislative assembly, and should such proposed amendment or amendments be agreed upon by a majority of all the members elected to each house, such amendment or amendments shall become a part of the Constitution of this state. Should any amendment or amendments proposed by initiative petition and receiving a majority of all the votes cast at the general election as herein provided, but failing to receive approval by the following legislative assembly to which it has been referred, such amendment or amendments shall again be submitted to the people at the next general election for their approval or rejection as at the previous general election. Should such amendment or amendments receive a majority of all the legal votes cast at such succeeding general election such amendment or amendments at once become a part of the Constitution of this state. Any amendment or amendments proposed by initiative petition and failing of adoption as herein provided, shall not be again considered until the expiration of six years.

Yes..... 43,111
No 21,815

A majority of the voters voting on said proposed amendment having voted in favor of the adoption of the said proposed amendment, the said proposed amendment is hereby duly declared carried and adopted.

ARTICLE XVII.

§ 216. The following named public institutions are hereby permanently located as hereinafter provided, each to have so much of the remaining grant of one hundred and seventy thousand acres of land made by the United States for "other educational and charitable institutions," as is allotted by law, viz:

FIRST: A Soldiers' Home, when located, or such other charitable institution as the legislative assembly may determine at Lisbon. in the County of Ransom, with a grant of forty thousand acres of land.

SECOND: The School for the Blind of North Dakota, at Bath-

gate, in the County of Pembina, with a grant of thirty thousand acres.

THIRD: An Industrial School and School for Manual Training, or such other educational or charitable institution as the legislative assembly may provide, at the Town of Ellendale, in the County of Dickey, with a grant of forty thousand acres.

FOURTH: A School of Forestry, or such other institution as the legislative assembly may determine, at the City of Bottineau in the County of Bottineau.

FIFTH: A Scientific School, or such other educational or charitable institution as the legislative assembly may prescribe, at the City of Wahpeton, County of Richland, with a grant of forty thousand acres.

SIXTH: A State Normal School, at the City of Minot in the County of Ward; *provided*, that no other institution, of a character similar to any one of those located by this Article, shall be established or maintained without a revision of this Constitution.

Yes..... 42,365
No 21,779

A majority of the voters voting on said proposed amendment having voted in favor of the adoption of the said proposed amendment, the said proposed amendment is hereby duly declared carried and adopted.

ARTICLE XVIII.

§ 185. Neither the state nor any county, city, township, town, school district or any other political sub-division shall loan or give its credit or make donations to or in aid of any individual, association or corporation except for necessary support of the poor, nor subscribe to or become the owner of the capital stock of any association or corporation, nor shall the state engage in any work of internal improvement unless authorized by a two-thirds vote of the people. *Provided*, that the state may appropriate money in the treasury or to be thereafter raised by taxation for the construction or improvement of public highways.

Yes..... 47,387
No 21,054

A majority of the voters voting on said proposed amendment having voted in favor of the adoption of the said proposed amendment, the said proposed amendment is hereby duly declared carried and adopted.

ARTICLE XIX.

The legislative assembly is hereby authorized and empowered to provide by law for the erection, purchasing or leasing and operation of one or more terminal grain elevators in the State of North Dakota, to be maintained and operated in such manner as the legislative assembly shall prescribe, and provide for inspection,

weighing and grading of all grain received in such elevator or elevators.

Yes..... 51,507
No 18,483

A majority of the voters voting on said proposed amendment having voted in favor of the adoption of the said proposed amendment, the said proposed amendment is hereby duly declared carried and adopted.

ARTICLE XX.

§ 176. Taxes shall be uniform upon the same class of property, including franchises within the territorial limits of the authority levying the tax, and shall be levied and collected for public purposes only, but the property of the United States, and of the state, county and municipal corporations shall be exempt from taxation; and the legislative assembly shall by a general law exempt from taxation property used exclusively for school, religious, cemetery, charitable or other public purposes, and personal property to any amount not exceeding in value two hundred dollars for each individual liable to taxation; *provided* that all taxes and exemptions in force when this amendment is adopted shall remain in force, in the same manner and to the same extent, until otherwise provided by statute.

§ 179. All taxable property except as hereinafter in this Section provided, shall be assessed in the county, city, township, village or district in which it is situated, in the manner prescribed by law. The property, including franchises of all railroads operated in this state, and of all express companies, freight line companies, dining car companies, sleeping car companies, car equipment companies, or private car line companies, telegraph or telephone companies or corporations operating in this state and used directly or indirectly in the carrying of persons, property or messages, shall be assessed by the State Board of Equalization in a manner prescribed by such state board or commission as may be provided by law. But should any railroad allow any portion of its railway to be used for any purposes other than the operation of a railroad thereon, such portion of its railway, while so used shall be assessed in a manner provided for the assessment of other real property.

Yes..... 45,162
No 18,135

A majority of the voters voting on said proposed amendment having voted in favor of the adoption of the said proposed amendment, the said proposed amendment is hereby duly declared carried and adopted.