

nomination and election of the superintendent of public instruction. The first election of a tax commissioner shall not occur until the year 1940.

At the general election in 1940 there shall be chosen two public service commissioners to fill the two terms expiring on the first Monday in January, 1941. The candidate at said election receiving the highest number of votes shall be elected for a term of six years, and the candidate receiving the next highest number of votes shall be elected for a term of four years. Thereafter there shall be chosen one such public service commissioner every two years.

The board of railroad commissioners shall hereafter be known as the public service commission and the members of the board of railroad commissioners as public service commissioners and the powers and duties now or hereafter granted to and conferred upon the board of railroad commissioners are hereby transferred to the public service commission.

Approved June 25, 1940.

67,294 to 57,239.

CONSTITUTIONAL AMENDMENTS

Disapproved

LEGISLATIVE POWER, INITIATIVE AND REFERENDUM (Submitted by the Legislature)

A CONCURRENT RESOLUTION PROVIDING FOR THE AMENDMENT OF SECTION 25 OF ARTICLE 2 OF THE CONSTITUTION OF THE STATE OF NORTH DAKOTA, RELATING TO THE LEGISLATIVE POWER OF THE STATE, AND THE INITIATIVE AND REFERENDUM.

Disapproved June 25, 1940.

61,573 to 64,636.

RECALL (Submitted by the Legislature)

A CONCURRENT RESOLUTION PROVIDING FOR THE AMENDMENT OF ARTICLE 33 OF THE CONSTITUTION OF NORTH DAKOTA, RELATING TO THE RECALL.

Disapproved June 25, 1940.

60,049 to 62,501.

GRADUATED LAND TAX
(Submitted by Initiative Petition)

AN ACT TO AMEND AND RE-ENACT SECTION 176 OF THE CONSTITUTION OF THE STATE OF NORTH DAKOTA, AS AMENDED, BY ADDING THERETO THE WORDS "PROVIDED, THAT THE PEOPLE OR THE LEGISLATURE MAY PROVIDE FOR A TAX UPON LAND, GRADUATED ACCORDING TO AREA OR VALUE OR BOTH, SO AS TO INCREASE THE TAXATION RATE UPON THE LARGER HOLDINGS"; AND BY ADDING THE WORDS "THE PEOPLE OR", "FROM TAXATION IN WHOLE OR IN PART, NOT TO EXCEED \$5,000.00 (FIVE THOUSAND DOLLARS) OF THE VALUE OF ANY LAND OCCUPIED AS A RESIDENCE BY THE LEGAL OR EQUITABLE OWNER THEREOF, AND MAY EXEMPT," AND "SUCH EXEMPTION NOT TO APPLY TO TAXES FOR SPECIAL IMPROVEMENTS", SO THAT SAID SECTION 176 AS SO AMENDED AND RE-ENACTED SHALL READ AS FOLLOWS:

Disapproved November 5, 1940.

154,521 to 94,250.

REFERRED MEASURES
Disapproved

REPEAL GRAIN STORAGE COMMISSION
(Referendum of H. B. 1, 1939 Legislative Assembly)

Chapter 210, Session Laws 1939

AN ACT TO REPEAL CHAPTER 138 OF THE SESSION LAWS OF THE STATE OF NORTH DAKOTA FOR THE YEAR 1929 CREATING THE OFFICE OF GRAIN STORAGE COMMISSIONER, AND DECLARING AN EMERGENCY.

Disapproved July 11, 1939.

41,152 to 165,851.