

CONSTITUTIONAL AMENDMENTS, DISAPPROVED

CHAPTER 601

EDUCATION BOARDS

Senate Concurrent Resolution No. 4002, chapter 610, 1975 Session Laws, proposed by the Forty-fourth Legislative Assembly of the State of North Dakota, providing for a board of public education and a board of higher education; for the amendment of sections 82 and 83 of the Constitution of the State of North Dakota, relating to public education and to remove the superintendent of public instruction as a constitutional officer; for the repeal of Article 54 of the Amendments to the Constitution of the State of North Dakota, relating to the board of higher education; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) The Constitution of the State of North Dakota shall be amended by adding thereto the following section:

The state board of public education shall supervise a uniform system of elementary and secondary education. The board shall perform other duties as provided by law.

The board shall consist of seven members, with staggered seven-year terms, appointed by the governor and confirmed by the senate in a manner provided by law.

The board shall appoint an executive officer, whose term and duties shall be prescribed by the board.

SECTION 2. AMENDMENT.) The Constitution of the State of North Dakota shall be amended by adding thereto the following section:

The state board of higher education shall have full power, responsibility, and authority to supervise, operate, and control state institutions of higher learning. The board shall perform other duties as provided by law.

The board shall consist of seven members, with staggered seven-year terms, appointed by the governor and confirmed by the senate in a manner provided by law.

The board shall control the expenditure of all funds belonging to and appropriated to state institutions of higher learning and shall present a single unified budget request to the legislative assembly. Appropriations for all the institutions and for the board shall be contained in one legislative measure. The legislative assembly shall not reduce appropriations by the amount of any gift received by the board or by the institutions under its control.

The budget and appropriations measure for the agricultural experiment stations and their substations and the cooperative extension divisions may be separate from that of the state educational institutions.

The board shall have the power to delegate to its employees details of administration of the institutions under its control.

The board shall appoint an executive officer, whose term and duties shall be prescribed by the board.

SECTION 3. AMENDMENT.) Section 82 of the Constitution of the State of North Dakota is hereby amended and reenacted to read as follows:

Section 82. There shall be chosen by the qualified electors of the state at the times and places of choosing members of the legislative assembly, a secretary of state, auditor, treasurer, commissioner of insurance, an attorney general, a commissioner of agriculture, a tax commissioner, and three public service commissioners, who shall have attained the age of twenty-five years and shall have the qualifications of state electors. They shall severally hold their offices at the seat of government for the term of four years, except the public service commissioners who shall be elected for six-year terms, and until their successors are elected and duly qualified; but no person shall be eligible for the office of treasurer for more than two consecutive terms.

The tax commissioner shall be elected on a no-party ballot and he shall be nominated and elected in the manner provided by law.

The legislative assembly may by law provide for a department of labor, which, if provided for, shall be administered by a public official who may be either elected or appointed, whichever the legislative assembly shall declare.

SECTION 4. AMENDMENT.) Section 83 of the Constitution of the State of North Dakota is hereby amended and reenacted to read as follows:

Section 83. The powers and duties of the secretary of state, auditor, treasurer, commissioner of insurance, public service commissioners, attorney general, and commissioner of agriculture shall be prescribed by law. In the event that the legislative assembly shall establish a separate and distinct department of labor, the powers and duties of the officer administering such department of labor shall be prescribed by law.

SECTION 5. REPEAL.) Article 54 of the Amendments to the Constitution of the State of North Dakota is hereby repealed.

SECTION 6. EFFECTIVE DATE.) The provisions of this resolution shall, if adopted, be effective on July 1, 1977, and the superintendent of public instruction elected in the general election in 1976 shall serve only through June 30, 1977.

Disapproved September 7, 1976

45,780 to 75,010

NOTE: This was constitutional measure No. 5 on the primary election ballot.

CHAPTER 602

LEGISLATIVE ARTICLE AMENDMENTS

Senate Concurrent Resolution No. 4046, chapter 613, 1975 Session Laws, proposed by the Forty-fourth Legislative Assembly of the State of North Dakota for the amendment of sections 26, 29, 32, and 35 of the Constitution of the State of North Dakota, relating to the composition of the legislative assembly, and to repeal section 45 of the Constitution of the State of North Dakota, relating to compensation of members of the legislative assembly.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 26 of the Constitution of the State of North Dakota is hereby amended and reenacted to read as follows:

Section 26. The Senate shall be composed of not less than thirty nor more than fifty-two members.

SECTION 2. AMENDMENT.) Section 29 of the Constitution of the State of North Dakota is hereby amended and reenacted to read as follows:

Section 29. The legislative assembly shall fix the number of senatorial districts. The districts as thus ascertained and determined after the 1980 federal decennial census shall continue until the adjournment of the first regular session after each federal census, or until changed by law.

SECTION 3. AMENDMENT.) Section 32 of the Constitution of the State of North Dakota is hereby amended and reenacted to read as follows:

Section 32. The House of Representatives shall be composed of not less than thirty nor more than one hundred four members.

SECTION 4. AMENDMENT.) Section 35 of the Constitution of the State of North Dakota is hereby amended and reenacted to read as follows:

Section 35. Each senatorial district shall be represented in the House of Representatives by at least one representative. The legislative assembly shall, after each federal census, proceed to fix by law the number of senators who shall constitute the Senate of North Dakota and the number of representatives who shall constitute the House of Representatives of North Dakota, within limits prescribed by this Constitution. The legislative assembly may, at any regular session, redistrict the state into senatorial districts and apportion the senators and representatives accordingly.

SECTION 5. REPEAL.) Section 45 of the Constitution of the State of North Dakota is hereby repealed.

Disapproved September 7, 1976

53,126 to 60,396

NOTE: This was constitutional measure No. 6 on the primary election ballot.