

CONSTITUTIONAL AMENDMENTS, PROPOSED

CHAPTER 755

SENATE CONCURRENT RESOLUTION NO. 4069
(Senators Heigaard, Nelson)
(Representatives Kloubec, Schneider)
(Approved by the Committee on Delayed Bills)

VETERANS' COMPENSATION

A concurrent resolution to create and enact a new section to the Constitution of North Dakota, relating to payment of adjusted compensation to North Dakota veterans of United States military involvement in the Persian Gulf theatre or in the Grenada, Lebanon, or Panama areas of armed conflict as designated by the President of the United States and authorizing an appropriation or issuance of bonds of the state to provide necessary funds.

STATEMENT OF INTENT

This measure allows the state to provide compensation to certain resident North Dakota veterans. The veterans entitled to compensation are those who were members of the regular active duty armed forces and who served in the Persian Gulf theatre or in the Grenada, Lebanon, or Panama areas of armed conflict or who died while on orders to or from the Persian Gulf theatre or in the Grenada, Lebanon, or Panama areas of armed conflict. This measure allows the Legislative Assembly to provide an appropriation or to provide for issuance of bonds of the state to provide necessary funds.

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

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

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

The legislative assembly may provide for the payment of adjusted compensation to North Dakota residents who were members of the regular active duty armed forces and who served in the Persian Gulf theatre or in the Grenada, Lebanon, or Panama areas of armed conflict as designated by the President of the United States or to heirs of North Dakota residents who were members of the regular active duty armed forces and who died while on orders to or from the Persian Gulf theatre or in the Grenada, Lebanon, or Panama areas of armed conflict as designated by the President of the United States. The legislative assembly may provide a direct appropriation or provide for the issuance, sale, and delivery of bonds of the state of North Dakota in such principal amounts as determined by the legislative assembly to be necessary for the payment of adjusted compensation under this section. Adjusted compensation under this section may be paid at such rates, terms of service, and conditions as the legislative assembly provides.

Filed April 3, 1991

CHAPTER 756

HOUSE CONCURRENT RESOLUTION NO. 3016
(Representative Kretschmar)
(Senator Holmberg)

EFFECTIVE DATE OF LEGISLATION

A concurrent resolution for the amendment of section 13 of article IV of the Constitution of North Dakota, relating to the effective date of legislation.

STATEMENT OF INTENT

This amendment provides that all legislation, except appropriation and tax measures, would be effective on August first after filing with the secretary of state or ninety days after filing if filed on or after August first and before January first of the following year. The effective date for appropriation and tax measures would remain July first.

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

That the following proposed amendment to section 13 of article IV 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 1992, in accordance with section 16 of article IV of the Constitution of North Dakota.

SECTION 1. AMENDMENT. Section 13 of article IV of the Constitution of North Dakota is amended and reenacted as follows:

Section 13. Each house shall keep a journal of its proceedings, and a recorded vote on any question shall be taken at the request of one-sixth of those members present. No bill may become law except by a recorded vote of a majority of the members elected to each house, and the lieutenant governor is considered a member-elect of the senate when the lieutenant governor votes.

No law may be enacted except by a bill passed by both houses, and no bill may be amended on its passage through either house in a manner which changes its general subject matter. No bill may embrace more than one subject, which must be expressed in its title; but a law violating this provision is invalid only to the extent the subject is not so expressed.

Every bill must be read on two separate natural days, and the readings may be by title only unless a reading at length is demanded by one-fifth of the members present.

No bill may be amended, extended, or incorporated in any other bill by reference to its title only, except in the case of definitions and procedural provisions.

The presiding officer of each house shall sign all bills passed and resolutions adopted by the legislative assembly, and the fact of signing shall be entered at once in the journal.

Every law, except as otherwise provided in this section, enacted by the legislative assembly during its eighty natural meeting days takes effect on ~~July~~ August first after its filing with the secretary of state, or if filed on or after August first and before January first of the following year ninety days after its filing ~~whichever comes later~~, or on a subsequent date if specified in the law unless, by a vote of two-thirds of the members elected to each house, the legislative assembly declares it an emergency measure and includes the declaration in the Act. Every appropriation measure for support and maintenance of state departments and institutions and every tax measure that changes tax rates enacted by the legislative assembly take effect on July first after its filing with the secretary of state or on a subsequent date if specified in the law unless, by a vote of two-thirds of the members elected to each house, the legislative assembly declares it an emergency measure and includes the declaration in the Act. An emergency measure takes effect upon its filing with the secretary of state or on a date specified in the measure. Every law enacted by a special session of the legislative assembly takes effect on a date specified in the Act.

The legislative assembly shall enact all laws necessary to carry into effect the provisions of this constitution. Except as otherwise provided in this constitution, no local or special laws may be enacted, nor may the legislative assembly indirectly enact special or local laws by the partial repeal of a general law but laws repealing local or special laws may be enacted.

Filed March 6, 1991

CHAPTER 757

SENATE CONCURRENT RESOLUTION NO. 4020 (Lips)

STATE LANDS AND MINERAL INTEREST EXCHANGES

A concurrent resolution for the amendment of section 6 of article IX of the Constitution of North Dakota, relating to certain exchanges of land and mineral rights.

STATEMENT OF INTENT

This amendment allows for the exchange of land between the board of university and school lands and private owners and allows for the exchange of all mineral interests with the approval of the legislative assembly.

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

That the following proposed amendment to section 6 of article IX 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 1992, in accordance with section 16 of article IV of the Constitution of North Dakota.

SECTION 1. AMENDMENT. Section 6 of article IX of the Constitution of North Dakota is amended and reenacted as follows:

Section 6. No original grant school or institutional land shall be sold for less than the fair market value thereof, and in no case for less than ten dollars (\$10.00) per acre, provided that when lands have been sold on contract and the contract has been canceled, such lands may be resold without reappraisal by the board of appraisal. The purchaser shall pay twenty (20) percent of the purchase price at the time the contract is executed; thereafter annual payments shall be made of not less than six (6) percent of the original purchase price. An amount equal to not less than three (3) percent per annum of the unpaid principal shall be credited to interest and the balance shall be applied as payment on principal as credit on purchase price. The purchaser may pay all or any installment or installments not yet due to any interest paying date. If the purchaser so desires, he may pay the entire balance due on his contract with interest to date of payment at any time and he will then be entitled to proper conveyance.

All sales shall be held at the county seat of the county in which the land to be sold is situated, and shall be at public auction and to the highest bidder, and notice of such sale shall be published once each week for a period of three weeks prior to the day of sale in a legal newspaper published nearest the land and in the newspaper designated for the publication of the official proceedings and legal notices within the county in which said land is situated.

No grant or patent for such lands shall issue until payment is made for the same; provided that the land contracted to be sold by the state shall be subject to taxation from the date of the contract. In case the taxes assessed against any of said lands for any year remain unpaid until the first Monday in October of the following year, the contract of sale for such land shall, if the board of university and school lands so determine, by it, be declared null and void. No contract of sale heretofore made under the provisions of this section of the constitution as then providing shall be affected by this amendment, except prepayment of principal may be made as herein provided.

Any of said lands that may be required for townsite purposes, schoolhouse sites, church sites, cemetery sites, sites for other educational or charitable institutions, public parks, airplane landing fields, fairgrounds, public highways, railroad right of way, or other railroad uses and purposes, reservoirs for the storage of water for irrigation, irrigation canals, and ditches, drainage ditches, or for any of the purposes for which private lands may be taken under the right of eminent domain under the constitution and laws of this state, may be sold under the provisions of this article, and shall be paid for in full at the time of sale, or at any time thereafter as herein provided. Any of said lands and any other lands controlled by the board of university and school lands, including state ~~coal~~ mineral interests, ~~may~~ with the approval of ~~said~~ the board, ~~may~~ be exchanged for lands and ~~coal~~ mineral interests of the United States, the state of North Dakota ~~or~~ any county or municipality thereof ~~as the legislature may provide,~~ or any private individual or entity as the legislative assembly may provide, and the lands so acquired shall be subject to the trust to which the lands exchanged therefor were subject, ~~and the state shall reserve all mineral and water power rights in land so transferred, except coal mineral interests approved for exchange by the board of university and school lands under this section.~~

When any of said lands have been heretofore or may be hereafter sold on contract, and the purchaser or his heirs or assigns is unable to pay in full for the land purchased within twenty years after the date of purchase and such contract is in default and subject to being declared null and void as by law provided, the board of university and school lands may, after declaring such contract null and void, resell the land described in such contract to such purchaser, his heirs or assigns, for the amount of the unpaid principal, together with interest thereon reckoned to the date of such resale at the rate of not less than three (3%) percent, but in no case shall the resale price be more than the original sale price; such contract of resale shall be upon the terms herein provided, provided this section shall be deemed self-executing insofar as the provisions for resale herein made are concerned.

Filed April 3, 1991

CHAPTER 758

HOUSE CONCURRENT RESOLUTION NO. 3035
(Representatives Rydell, Hokana)
(Senators Mushik, Holmberg)

BICENTENNIAL TRUST FUND

A concurrent resolution to create and enact a new section to article X of the Constitution of North Dakota, relating to the creation of a Bicentennial trust fund; and to provide an effective date.

STATEMENT OF INTENT

This amendment would create a Bicentennial trust fund, the principal and interest of which is to be released on January 1, 2089, to a Bicentennial Commission, or if a Bicentennial Commission is not in existence on January 1, 2089, to the Governor, for use in commemorating and celebrating the 200th birthday of the state of North Dakota.

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

That the following proposed new section to article X 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 1992, in accordance with section 16 of article IV of the Constitution of North Dakota.

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

The bicentennial trust fund is a permanent trust fund to be used for the purpose of commemorating and celebrating the bicentennial of the state of North Dakota. The interest earned on the money in the fund accrues to the bicentennial trust fund. On January 1, 2089, or as soon thereafter as practicable, the principal and interest in the trust fund must be transferred to the bicentennial commission or, if no bicentennial commission is in existence on January 1, 2089, to the governor, for expenditure to commemorate and celebrate the bicentennial of the state of North Dakota. Any amounts held by the state treasurer in trust for the North Dakota bicentennial commission pursuant to Senate Bill No. 2301 enacted by the fifty-second legislative assembly must be transferred to the bicentennial trust fund.

SECTION 2. EFFECTIVE DATE. If approved by the voters, this measure becomes effective on January 1, 1993.

Filed April 4, 1991