

Introduced by

Representatives Carlson, Delzer, Devlin, Monson

Senators Grindberg, Hogue

1 A concurrent resolution to amend and reenact sections 2, 3, 4, and 9 of article III of the
2 Constitution of North Dakota, relating to the fiscal impact of initiated measures and
3 requirements for the circulation of initiative and referendum petitions.

4 **STATEMENT OF INTENT**

5 The measure would require that initiated measures that are estimated to have a fiscal impact of
6 twenty million dollars or more must be placed on the general election ballot. The measure would
7 prohibit individuals who are circulating petitions to initiate or refer measures from being paid to
8 circulate the measures. The measure would require that a petition to initiate or refer a statutory
9 measure must contain signatures equal in number to at least three percent of the population of
10 the state and signatures equal in number to at least three percent of the population from each of
11 at least fifty percent of the counties in the state and a petition to initiate a constitutional
12 amendment must contain signatures equal in number to at least four percent of the population
13 of the state and signatures equal in number to at least four percent of the population from each
14 of at least fifty percent of the counties in the state.

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

17 That the following proposed amendments to sections 2, 3, 4, and 9 of article III of the
18 Constitution of North Dakota are agreed to and must be submitted to the qualified electors of
19 North Dakota at the general election to be held in 2014, in accordance with section 16 of
20 article IV of the Constitution of North Dakota.

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

23 **Section 2.** A petition to initiate or to refer a measure must be presented to the secretary of
24 state for approval as to form. A request for approval must be presented over the names and
25 signatures of twenty-five or more electors as sponsors, one of whom must be designated as

1 chairman of the sponsoring committee. The secretary of state shall approve the petition for
2 circulation if it is in proper form and contains the names and addresses of the sponsors and the
3 full text of the measure.

4 The legislative assembly may provide by law for a procedure through which the legislative
5 council may establish an appropriate method for determining the fiscal impact of an initiative
6 measure and for making the information regarding the fiscal impact of the measure available to
7 the public. If the legislative council determines the fiscal impact of an initiated measure will be
8 twenty million dollars or more during the next full biennium after the measure is due to become
9 effective and the secretary of state determines the petition includes the required number of
10 signatures and qualifies to be placed on the ballot as provided under this article, the secretary
11 of state shall place the measure on the next general election ballot.

12 **SECTION 2. AMENDMENT.** Section 3 of article III of the Constitution of North Dakota is
13 amended and reenacted as follows:

14 **Section 3.** ~~The petition shall be circulated only by~~Only qualified electors may circulate a
15 petition and no individual who is circulating a petition may be paid to circulate the petition or for
16 obtaining signatures on the petition. They~~The individual circulating the petition~~ shall swear
17 ~~thereon~~on the petition that the electors who have signed the petition did so in ~~their~~the presence
18 of that individual. Each elector signing a petition shall also write in the date of signing and ~~his~~the
19 elector's post-office address. No law shall be enacted limiting the number of copies of a petition.
20 The copies shall become part of the original petition when filed.

21 **SECTION 3. AMENDMENT.** Section 4 of article III of the Constitution of North Dakota is
22 amended and reenacted as follows:

23 **Section 4.** The petition may be submitted to the secretary of state if signed by electors
24 equal in number to ~~two~~three percent of the resident population of the state at the last federal
25 decennial census. Of the total amount of signatures submitted, the petition must include
26 signatures of electors equal in number to at least three percent of the resident population from
27 each of at least fifty percent of the counties in the state.

28 **SECTION 4. AMENDMENT.** Section 9 of article III of the Constitution of North Dakota is
29 amended and reenacted as follows:

30 **Section 9.** A constitutional amendment may be proposed by initiative petition. ~~It~~The petition
31 may be submitted to the secretary of state if signed by electors equal in number to four percent

Sixty-third
Legislative Assembly

1 of the resident population of the state at the last federal decennial census and if of the total
2 amount of signatures submitted, the petition may be submitted to the secretary of~~includes~~
3 signatures of electors equal in number to at least four percent of the resident population from
4 each of at least fifty percent of the counties in the state. All other provisions relating to initiative
5 measures apply hereto.