

Sixty-fifth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2135

Introduced by

Senators Hogue, Klein, Wardner

Representatives Carlson, K. Koppelman, Vigesaa

1 A BILL for an Act to provide for the creation of an initiated and referred measure study
2 commission; to provide for a report to the legislative management; to provide an
3 ~~appropriation~~expiration date; and to declare an emergency.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. INITIATED AND REFERRED MEASURE STUDY COMMISSION - DUTIES -**
6 **MEMBERSHIP - REPORT TO LEGISLATIVE MANAGEMENT.**

- 7 1. During the 2017-18 interim, an initiated and referred measure study commission shall
- 8 undertake a comprehensive study of the initiated and referred measure laws of North
- 9 Dakota. The commission shall study, among other subjects:
 - 10 a. The process and cost of placing initiated and referred measures on the ballot and
 - 11 campaigning in support of or opposition to ballot measures in North Dakota;
 - 12 b. The processes used to place initiated and referred measures on the ballot in
 - 13 other states; ~~and~~
 - 14 c. Whether any provision of the state constitution or state law relating to initiated or
 - 15 referred measures should be amended. If an amendment is warranted, the
 - 16 commission shall prepare a draft resolution to amend the constitution or a draft
 - 17 bill to amend the state law for consideration by the next legislative assembly; and
 - 18 d. The effect of out-of-state funding on the initiated and referred measure process
 - 19 and whether limits on out-of-state funding are necessary.
- 20 2. The commission shall hold at least four meetings and report its findings and any
- 21 recommendations, together with any legislation required to implement the
- 22 recommendations, to the legislative management before September 1, 2018.
- 23 3. The commission must consist of:

- 1 a. One individual appointed by the chief justice of the supreme court, who shall
2 serve as the commission chairman;
- 3 b. One individual appointed by the secretary of state;
- 4 ~~c.~~ Three members of the legislative assembly, at least one of whom is a member of
5 the minority party, appointed by the legislative management house of
6 representatives, two of whom must be appointed by the majority leader of the
7 house of representatives and one of whom must be appointed by the minority
8 leader of the house of representatives;
- 9 ~~c.~~ One member of a tribal nation appointed by the executive director of the Indian
10 affairs commission;
- 11 d. Three members of the senate, two of whom must be appointed by the majority
12 leader of the senate and one of whom must be appointed by the minority leader
13 of the senate;
- 14 ~~e.~~ Seven citizen members appointed by the governor, two of whom must be past or
15 current members of a sponsoring committee for an initiated or referred measure.
16 The governor shall provide public notice of available citizen positions on the
17 commission and establish a procedure for submission of applications; and
- 18 ~~e.f.~~ Nonvoting members consisting of:
- 19 (1) One individual appointed by the greater North Dakota chamber;
- 20 ~~f.~~ (2) One individual appointed by the North Dakota newspaper association;
- 21 ~~g.~~ (3) One individual appointed by the North Dakota farm bureau; and
- 22 ~~h.~~ (4) One individual appointed by the North Dakota farmers union; and
- 23 ~~i.~~ One individual appointed by North Dakota United.
- 24 4. A citizen member appointed to the commission by the governor may not be an elected
25 or appointed official, a member of an organization listed in subdivision f of
26 subsection 3, or an employee of the governor's office.
- 27 5. After the closing of the application period for citizen members under subdivision e of
28 subsection 3 has concluded, there must be allotted forty-five days for public review
29 and comment on the applications before the governor appoints the citizen members.
- 30 6. The chairman of the legislative management committee appointing authority may fill
31 any vacancy on the commission.

1 ~~5.7.~~ The commission may request appropriate staff services from the legislative council.

2 ~~6.8.~~ Commission members are entitled to mileage and expenses as provided by law for
3 state officers and employees. Commission members who are members of the
4 legislative assembly also are entitled to compensation for attendance at commission
5 meetings at the rate provided for members of the legislative assembly for attendance
6 at interim committee meetings.

7 ~~— **SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the general~~
8 ~~fund in the state treasury, not otherwise appropriated, the sum of \$25,000, or so much of the~~
9 ~~sum as may be necessary, to the legislative council for the purpose of reimbursing commission~~
10 ~~members and staff for travel necessary to carry out commission duties as provided in section 1-~~
11 ~~of this Act, for the biennium beginning July 1, 2017, and ending June 30, 2019.~~

12 **SECTION 2. EXPIRATION DATE.** This Act is effective through June 30, 2019, and after that
13 date is ineffective.

14 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.