

Introduced by

Senators Unruh, Myrdal, Poolman

Representatives Mock, Roers Jones, Schmidt

1 A BILL for an Act to amend and reenact section 16.1-06-09 of the North Dakota Century Code,
2 relating to the required form for measures to amend the constitution and the manner of placing
3 the measures on ballots.

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

5 **SECTION 1. AMENDMENT.** Section 16.1-06-09 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **16.1-06-09. Constitutional amendments and other initiated and referred measures -**
8 **Manner of stating question - Explanation of effect of vote - Order of listing.**

9 ~~Constitutional amendments or measures,~~

- 10 1. A measure for a constitutional amendment must be divided into clearly identifiable
11 sections, and each section of the measure may include proposed changes to only one
12 section of the constitution. The entire text of each section of the constitution to be
13 amended must be included in the measure. Language to be removed from the
14 constitution must be overstruck and language to be added to the constitution must be
15 underlined. The remaining text in the measure may not be overstruck or underlined.
16 The entirety of a measure for a constitutional amendment must be printed on the ballot
17 unless the amendment is more than five hundred words, in which case a copy of the
18 amendment complying with this subsection must be provided to each voter with the
19 ballot, and a summary complying with subsection 2 must be printed on the ballot in
20 place of the full text of the measure. If a copy of the amendment must be provided to
21 each voter, the sponsoring committee of the measure shall pay the secretary of state
22 an amount sufficient to cover the cost of printing the copies.
- 23 2. Other initiated measures, and referred measures, duly certified to the county auditor
24 by the secretary of state, or any other question or measure to be voted on, except the

1 election of public officers at any primary, general, or special election including officers
2 subject to a recall petition, must, ~~unless otherwise determined by the secretary of~~
3 ~~state,~~ be stated in full in a legible manner on the ballot. ~~If~~ However, if the secretary of
4 state concludes ~~the amendment or a~~ measure other than a measure for a constitutional
5 amendment is too long to make it practicable to print in full, the secretary of state in
6 consultation with the attorney general shall cause to be printed a short, concise
7 summary, which must fairly represent the substance of the ~~constitutional amendment~~
8 ~~or initiated or referred~~ measure.

9 3. After ~~the foregoing statement~~ each measure, statement, or question, the secretary of
10 state shall cause to be printed another short, concise statement of the effect of an
11 affirmative or negative vote on the ~~constitutional amendment or initiated or referred~~
12 ~~measure, or question~~. This explanatory statement must be drafted by the secretary of
13 state in consultation with the attorney general. The words "Yes" and "No" must be
14 printed on the ballot at the close of the statement regarding the effect of an affirmative
15 or negative vote, in separate lines with an oval before each statement in which the
16 voter is to indicate how the voter desires to vote on the question by darkening the oval.
17 If two or more ~~amendments~~ measures, or questions are to be voted on, they must be
18 printed on the same ballot.

19 4. The measures to be submitted to the electors must be grouped and classified as
20 constitutional measures, initiated statutes, or referred statutes and must be placed
21 within ~~such~~ the groups or classifications by the secretary of state in the order received,
22 for the purpose of placing them on the ballot. Measures submitted by the legislative
23 assembly must be placed first on the ballot within their classification in the order
24 approved by the legislative assembly. ~~Constitutional measures shall~~ Measures for
25 constitutional amendments must be placed first on the ballot, initiated statutes second,
26 and referred statutes third. After all the measures have been placed within the
27 appropriate group or classification, all measures must be numbered consecutively,
28 without regard to the various groups or classifications.