



Wayne Stenehjem
ATTORNEY GENERAL

STATE OF NORTH DAKOTA
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September 23, 2008

The Honorable Alvin A. Jaeger
Secretary of State
600 East Boulevard Avenue
Bismarck, ND 58505-0500

Dear Secretary of State Jaeger:

Thank you for your September 23, 2008, letter submitting the ballot analyses for the constitutional measure and the three initiated statutory measures which will appear on the November general election ballot. The analyses of the measures will be published prior to the general election in accordance with N.D.C.C. § 16.1-01-07.

The constitutional measure relates to the creation of an oil tax trust fund. The initiated statutory measures relate to income tax reductions, tobacco prevention measures, and Workforce Safety and Insurance matters.

The ballot analyses for the constitutional measure and the three initiated statutory measures as attached are hereby approved. This approval is issued pursuant to N.D.C.C. § 16.1-01-07.

Sincerely,

A handwritten signature in black ink, appearing to read "Wayne Stenehjem", written over a horizontal line.

Wayne Stenehjem
Attorney General

jjf/pg
Enclosure

**ANALYSIS OF THE
STATEWIDE MEASURES
APPEARING ON THE
GENERAL ELECTION BALLOT
NOVEMBER 4, 2008**

The following analyses are for the four measures appearing on the statewide General Election ballot on November 4, 2008. This publication is required by section 16.1-01-07 of the North Dakota Century Code to enable voters to become familiar with the effect of proposed measures. The full text of each measure is available on the Secretary of State's website at www.nd.gov/sos or by requesting a copy from either the Elections Division, Secretary of State's office at (800) 352-0867, ext. 8-4146, or from the office of any County Auditor.

In addition, as required by section 16.1-01-17 of the North Dakota Century Code, a copy of the Legislative Council's report on the estimated fiscal impact of Measures No. 2, No. 3, and No. 4 is available on the Secretary of State's website at www.nd.gov/sos, by calling (800) 352-0867, ext. 8-4146, or by writing to Secretary of State, 600 E Boulevard Avenue Dept 108, Bismarck ND 58505.

Analysis of Constitutional Measure No. 1

Constitutional Measure No. 1 was placed on the ballot by action of the 2007 North Dakota Legislative Assembly with the passage of House Concurrent Resolution No. 3045 (2007 Session Laws, Ch. 584). If approved, it would add a new section to article X of the North Dakota Constitution.

This measure would establish a permanent oil tax trust fund from oil and gas tax revenue exceeding one hundred million dollars per biennium, adjusted for inflation; interest earnings on the trust fund would be transferred to the general fund each year; and no more than twenty percent of the principal of the trust fund could be spent each biennium, if approved by three-fourths of the members of both houses of the legislature.

Voting "YES" means you approve the measure as summarized above. Voting "NO" means you reject the measure as summarized above.

Analysis of Initiated Statutory Measure No. 2

Statutory Measure No. 2 was placed on the ballot by petitions circulated by a sponsoring committee. If approved, it would amend sections 57-38-30 and 57-38-30.3 of the North Dakota Century Code.

For tax years beginning after December 31, 2008, this initiated measure would lower the state corporate income tax rates by fifteen percent and the adjusted state income tax rates for both resident and nonresident individuals, estates, and trusts by fifty percent, except for one taxpayer bracket where the reduction would be forty-five percent and for two other brackets where \$10,400 and \$58,000 of income would not be taxed.

Voting "YES" means you approve the measure as summarized above. Voting "NO" means you reject the measure as summarized above.

Analysis of Initiated Statutory Measure No. 3

Statutory Measure No. 3 was placed on the ballot by petitions circulated by a sponsoring committee. If approved, it would add seven new sections to the North Dakota Century Code and amend section 54-27-25.

This measure would establish a tobacco prevention and control advisory committee and an executive committee; develop and fund a comprehensive statewide tobacco prevention and control plan; and create a tobacco prevention and control trust fund to receive tobacco settlement dollars to be administered by the executive committee.

Voting "YES" means you approve the measure as summarized above. Voting "NO" means you reject the measure as summarized above.

Analysis of Initiated Statutory Measure No. 4

Statutory Measure No. 4 was placed on the ballot by petitions circulated by a sponsoring committee. If approved, it would add two new sections to Title 65 of the North Dakota Century Code.

This measure would provide for the appointment by the Governor of the director for the Workforce Safety and Insurance agency, the placement of its employees into the state personnel system, and for the appointment of independent administrative law judges to conduct hearings and make final decisions.

Voting **"YES"** means you approve the measure as summarized above. Voting **"NO"** means you reject the measure as summarized above.

ALVIN A. JAEGER
SECRETARY OF STATE

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September 23, 2008


The Honorable Wayne K. Stenehjem
Attorney General
State of North Dakota
600 E Boulevard Avenue
Bismarck ND 58505-0040

Dear Attorney General Stenehjem,

In accordance with the provisions of N.D.C.C. § 16.1-01-07, I request your review and concurrence of the enclosed analysis drafted for each of the four measures appearing on the ballot for the statewide election on November 4, 2008.

The analyses must be published in the state's official county newspapers for two consecutive weeks before the sample ballot is published. For this upcoming election, the first week of publication begins on October 6, 2008, with a submission deadline of September 26, 2008.

Sincerely,


Alvin A. Jaeger
Secretary of State

Enclosures

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