

# CONSTITUTIONAL AMENDMENTS DISAPPROVED

## CHAPTER 639

### HOUSE CONCURRENT RESOLUTION NO. 3016

(Representatives DeKrey, Berg, Boucher)  
(Senators Nething, O'Connell, Stenehjem)

### LEGISLATIVE MEMBER APPOINTMENT TO A STATE OFFICE

A concurrent resolution for the amendment of section 6 of article IV of the Constitution of North Dakota, relating to the appointment of a member of the legislative assembly to a full-time appointive state office.

#### STATEMENT OF INTENT

This measure removes the prohibition on appointing a member of the legislative assembly to an office for which the compensation has been increased by the legislative assembly during that member's term of office.

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

That the following proposed amendment to section 6 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 primary election to be held in 2008, in accordance with section 16 of article IV of the Constitution of North Dakota.

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

**Section 6.** While serving in the legislative assembly, no member may hold any full-time appointive state office established by this constitution or designated by law. During the term for which elected, no member of the legislative assembly may be appointed to any full-time office ~~which that~~ has been created; ~~or to any office for which the compensation has been increased,~~ by the legislative assembly during that term.

Disapproved June 10, 2008

35,888 to 48,644

NOTE: This was measure No. 1 on the 2008 primary election ballot.

**CHAPTER 640****HOUSE CONCURRENT RESOLUTION NO. 3045**

(Representatives Weiler, Boehning, Kasper, Skarphol, Thoreson)  
(Senator Stenehjem)

**PERMANENT OIL TAX TRUST FUND**

A concurrent resolution to create and enact a new section to article X of the Constitution of North Dakota, relating to establishment and use of a permanent oil tax trust fund; and to provide an effective date.

**STATEMENT OF INTENT**

This measure establishes a permanent oil tax trust fund and imposes limitations on use of moneys in the fund.

**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 2008, 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:

All revenue deposited in the general fund during a biennium derived from taxes imposed on oil and gas at the time of production or extraction which exceeds one hundred million dollars must be transferred by the state treasurer to a special fund in the state treasury known as the permanent oil tax trust fund. Beginning in 2011, at the beginning of each biennium immediately following a biennium in which revenue from taxes imposed on oil and gas was deposited in the permanent oil tax trust fund, the state treasurer shall adjust the dollar threshold amount as determined under this section for transfers to the permanent oil tax trust fund by applying to that amount the rate of change since the beginning of the previous biennium in the consumer price index for all urban consumers, all items, United States city average, or any successor index, as calculated by the United States department of labor, bureau of labor statistics. The state treasurer shall transfer interest earnings of the permanent oil tax trust fund to the general fund at the end of each fiscal year. The principal of the permanent oil tax trust fund may not be expended except upon a vote of three-fourths of the members elected to each house of the legislative assembly and not more than twenty percent of the principal may be expended during any biennium.

**SECTION 2. EFFECTIVE DATE.** If approved by the voters, this measure becomes effective on July 1, 2009.

Disapproved November 4, 2008

108,748 to 193,111

NOTE: This was measure No. 1 on the 2008 general election ballot.