

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. ~~Three members of the legislative assembly, at least one of whom is a member of~~  
4 ~~the minority party, appointed by the legislative management~~Three members of  
5 the house of representatives appointed by the majority leader of the house of  
6 representatives, and three members of the senate, one of whom must be a  
7 member of the minority party, appointed by the majority leader of the senate;
- 8 c. One ~~member of a tribal nation appointed by the executive director of the Indian-~~  
9 ~~affairs commission~~individual appointed as a nonvoting member by the secretary  
10 of state;
- 11 d. ~~Three~~Seven citizen members appointed by the governor, who shall provide public  
12 notice of available citizen positions on the commission and establish a procedure  
13 for submission of applications. One of the seven must be a member of an  
14 association that represents employees and their interests;
- 15 e. One individual appointed by the greater North Dakota chamber;
- 16 f. One individual appointed by the North Dakota newspaper association;
- 17 g. One individual appointed by the North Dakota farm bureau; and
- 18 h. One individual appointed by the North Dakota farmers union; ~~and~~
- 19 ~~i. One individual appointed by North Dakota United.~~
- 20 4. A citizen member appointed to the commission by the governor may not be an elected  
21 or appointed official, a board member or employee of an organization identified in  
22 subdivisions e through h of subsection 3, or an employee of the governor's office.
- 23 5. The chairman of the legislative management committee may fill any vacancy on the  
24 commission. A vacancy must be filled by an individual who satisfies the criterion for the  
25 vacant position, such that the requirements in subsection 3 are met throughout the  
26 existence of the commission.
- 27 ~~5-6.~~ The commission may request appropriate staff services from the legislative council.
- 28 ~~6-7.~~ Commission members are entitled to mileage and expenses as provided by law for  
29 state officers and employees. Commission members who are members of the  
30 legislative assembly also are entitled to compensation for attendance at commission  
31 meetings at the rate provided for members of the legislative assembly for attendance

1 at interim committee meetings. The expenses of the commission are to be paid by the  
2 the legislative council.

3 8. All appointments of commission members must be completed within sixty days after  
4 the effective date of this Act.

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

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

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