

CONSTITUTIONAL MEASURES, APPROVED

CHAPTER 473

SEPARATION OF BUDGETS

House Concurrent Resolution "F", chapter 452, 1963 Session Laws, proposed by the 38th Legislative Assembly of the state of North Dakota to provide for the amendment of subdivision (d) of subsection 6 of Article 54 of the Amendments to the Constitution of the state of North Dakota, relating to budgets and appropriations for institutions of higher learning by adding the words "The budgets and appropriation measures for the agricultural experiment stations and their substations and the extension division of the North Dakota State University of Agriculture and Applied Science may be separate from those of state educational institutions." so as to read as follows:

Be It Enacted by the People of the State of North Dakota:

§ 1. **Amendment.)** Subdivision (d) of subsection 6 of Article 54 of the Amendments to the Constitution of the state of North Dakota is hereby amended and reenacted to read as follows:

Article 54

6. (d). It shall be the duty of the heads of the several state institutions hereinbefore mentioned, to submit the budget requests for the biennial appropriations for said institutions to said state board of higher education; and said state board of higher education shall consider said budgets and shall revise the same as in its judgment shall be for the best interests of the educational system of the state; and thereafter the state board of higher education shall prepare and present to the state budget board and to the legislature a single unified budget covering the needs of all the institutions under its control. "Said budget shall be prepared and presented by the board of administration until the state board of higher education organizes as provided in section 6 (a)." The appropriations for all of said institutions shall be contained in one legislative measure. The budgets and appropriation measures for the agricultural experiment stations and their substations and the extension division of the North Dakota State University of Agriculture and Applied Science may be separate from those of state educational institutions.

Approved June 30, 1964.

61,721 to 46,333

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

CHAPTER 474

MUNICIPAL JUDGES

Senate Concurrent Resolution "T", chapter 454, 1963 Session Laws, proposed by the 38th Legislative Assembly of the state of North Dakota to provide for the amendment of section 113 of the Constitution of North Dakota, relating to the office of police magistrate by adding the words "selection or" before the word election; by adding the words "and the qualifications" after the word election; by omitting the words "police magistrates" and adding the words "municipal judges"; by omitting the words "in addition to their jurisdiction of all" and by adding the words "shall hear, try, and determine"; by omitting the words "shall be ex officio justices of the peace of the county in which said cities, towns and villages may be located. And the legislative assembly may confer upon said police magistrates the jurisdiction to hear, try, and determine all cases of misdemeanors, and the prosecutions therein shall be by information". And by adding the words "and shall have such other jurisdiction as the legislative assembly may confer upon them." so as to read as follows:

Be It Enacted by the People of the State of North Dakota:

§ 1. **Amendment.)** Section 113 of the Constitution of the state of North Dakota is hereby amended and reenacted to read as follows:

SECTION 113. The legislative assembly shall provide by law for the selection or election and the qualifications of municipal judges in cities, incorporated towns, and villages, who shall hear, try, and determine cases arising under the ordinances of said cities, towns and villages, and shall have such other jurisdiction as the legislative assembly may confer upon them.

Approved June 3, 1964.

55,202 to 49,504

Note: This was measure No. 3 on the primary election ballot.

CHAPTER 475

TERMS OF OFFICE FOR STATE OFFICIALS AND
SUPERINTENDENT OF SCHOOLS FOR EACH COUNTY

An initiated measure for the amendment of sections 71, 82 and 150 of the Constitution of the state of North Dakota, providing for four year terms instead of two year terms for the offices of governor, lieutenant governor, secretary of state, auditor, treasurer, superintendent of public instruction, commissioner of insurance, attorney general, and commissioner of agriculture and labor, and county superintendent of schools, beginning in the year 1965.

Be It Enacted by the People of the State of North Dakota:

SECTION 71 OF ARTICLE III: The executive power shall be vested in a governor, who shall reside at the seat of government and shall hold his office for the term of four years beginning in the year 1965, and until his successor is elected and duly qualified.

SECTION 82 OF ARTICLE III: There shall be chosen by the qualified electors of the state at the times and places of choosing members of the legislative assembly, a secretary of state, auditor, treasurer, superintendent of public instruction, commissioner of insurance, an attorney general, a commissioner of agriculture and labor, and a tax commissioner, who shall have attained the age of twenty-five years and shall have the qualifications of state electors. They shall severally hold their offices at the seat of government for the term of four years beginning with the year 1965, and until their successors are elected and duly qualified; but no person shall be eligible for the office of treasurer for more than two consecutive terms. The tax commissioner shall be elected on a no party ballot and he shall be nominated and elected in the manner now provided for the nomination and election of the superintendent of public instruction.

The board of railroad commissioners shall hereafter be known as the public service commission and the members of the board of railroad commissioners as public service commissioners and the powers and duties now or hereafter granted to and conferred upon the board of railroad commissioners are hereby transferred to the public service commission. The public service commissioners shall have the qualifications of state electors, have attained the age of twenty-five years, be chosen by the qualified electors of the state at the times and places of choosing members of the legislative assembly, hold office at the seat of government and until their successors are elected and duly qualified. As each of the three public service

commissioners now holding office completes his term, his successor shall be elected for a term of six years.

The legislative assembly may by law provide for a department of labor, which, if provided for, shall be separate and distinct from the department of agriculture, and shall be administered by a public official who may be either elected or appointed, whichever the legislative assembly shall declare; and if such a department is established the commissioner of agriculture and labor provided for above shall become the commissioner of agriculture.

SECTION 150 OF ARTICLE VIII: A superintendent of schools for each county shall be elected every four years beginning in the year 1964, whose qualifications, duties, powers and compensation shall be fixed by law.

This amendment shall be self executing, but legislation may be enacted to facilitate its operation.

Approved June 30, 1964.

60,099 to 55,294

Note: This was measure No. 5 on the primary election ballot.

CHAPTER 476

PUBLICITY PAMPHLET, REPEAL

Senate Concurrent Resolution "O", chapter 451, 1963 Session Laws, proposed by the 38th Legislative Assembly of the state of North Dakota to repeal the tenth paragraph of section 25 of the Constitution of the state of North Dakota, relating to the publicity pamphlet by omitting the words "All measures submitted to the electors shall be published by the state as follows: "The secretary of state shall cause to be printed and mailed to each elector a publicity pamphlet, containing a copy of each measure together with its ballot title, to be submitted at any election. Any citizen, or the officers of any organization, may submit to the secretary of state for publication in such pamphlet, arguments concerning any measure therein, upon first subscribing their names and addresses thereto and paying the fee therefor, which, until otherwise fixed by the legislature, shall be the sum of two hundred dollars per page.""

Be It Enacted by the People of the State of North Dakota:

§ 1. Repeal.) The tenth paragraph of section 25 of the Constitution of the state of North Dakota as printed in the North Dakota Century Code which reads:

All measures submitted to the electors shall be published by the state as follows: "The secretary of state shall cause to be printed and mailed to each elector a publicity pamphlet,

containing a copy of each measure together with its ballot title, to be submitted at any election. Any citizen, or the officers of any organization, may submit to the secretary of state for publication in such pamphlet, arguments concerning any measure therein, upon first subscribing their names and addresses thereto and paying the fee therefor, which, until otherwise fixed by the legislature, shall be the sum of two hundred dollars per page."

is hereby repealed.

Approved November 3, 1964.

125,117 to 96,283

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