

CONSTITUTIONAL MEASURES, DISAPPROVED

CHAPTER 477

EMOLUMENTS OF OFFICE, REPEAL

House Concurrent Resolution "V", chapter 453, 1963 Session Laws, proposed by the 38th Legislative Assembly of the state of North Dakota to repeal section 39 of the Constitution of the state of North Dakota, relating to legislators holding state civil office by omitting the words "No member of the legislative assembly shall, during the term for which he was elected, be appointed or elected to any civil office in this state, which shall have been created, or the emoluments of which shall have been increased, during the term for which he was elected; nor shall any member receive any civil appointment from the governor, or governor and senate, during the term for which he shall have been elected."

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

§ 1. **Repeal.)** Section 39 of the Constitution of the state of North Dakota is hereby repealed.

Disapproved June 30, 1964.

46,029 to 59,955

Note: This was measure No. 2 on the primary election ballot.

CHAPTER 478

PARI-MUTUEL WAGERING ON HORSE AND DOG RACES

An initiative petition to amend Amendment 1 of the North Dakota Constitution granting to persons the right to wager on the results of horse racing and dog racing by the pari-mutuel method and providing for the payment of a tax on such wagers and the distribution of tax money received.

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

Amendment 1.) The legislative assembly shall have no power to authorize lotteries or gift enterprises for any purpose and shall pass laws to prohibit the sale of lottery or gift enterprise tickets; except that nothing in this section shall be construed to prohibit wagering on the results of horse races and dog races by the pari-mutuel method, by which the track operator shall be authorized to deduct twelve per centum (12%) of the total wagers, plus the odd cents of the redistribution over the lowest multiple of ten, for expense purposes and there shall be paid to the state tax commissioner for the state

of North Dakota four per centum (4%) of the total wagers as total tax and license fee and shall be in lieu of all other and further excise and occupational taxes to the state or any county, city, town or other political subdivision. Revenue received by the state tax commissioner shall be distributed for educational needs and purposes of the state department of public instruction and for old age assistance. Racing may be conducted on any calendar day, three hundred sixty-five days a year."

Disapproved June 30, 1964.

41,871 to 76,198

Note: This was measure No. 4 on the primary election ballot.

CHAPTER 479

EXEMPTION OF PERSONAL PROPERTY FROM TAXATION

An initiated measure for the amendment of section 176 of the Constitution of the state of North Dakota, adding personal property to the listing of properties exempt from taxation, and revising the definition therein contained of personal property.

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

SECTION 176 OF ARTICLE XI: Taxes shall be uniform upon the same class of property including franchises within the territorial limits of the authority levying the tax. The property of the United States and of the state, county and municipal corporations and property used exclusively for schools, religious, cemetery, charitable or other public purposes, all personal property owned by persons or corporations residing or doing business within the state of North Dakota, and all personal property located within the state of North Dakota, shall be exempt from taxation. Except as restricted by this article, the legislature may provide for raising revenue and fixing the situs of all property for the purpose of taxation.

Disapproved November 3, 1964.

97,466 to 140,908

Note: This was measure No. 2 on the general election ballot.