

CONSTITUTIONAL AMENDMENTS, APPROVED

CHAPTER 603

SIZE OF TRIAL JURIES

House Concurrent Resolution No. 3002, chapter 532, 1973 Session Laws, proposed by the Forty-third Legislative Assembly of the State of North Dakota, providing for the amendment of section 7 of the Constitution of the State of North Dakota, relating to the size of trial juries and the number of jurors required to render a decision in civil and criminal cases, and providing an effective date, to read as follows:

BE IT ENACTED BY THE PEOPLE OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 7 of the Constitution of the state of North Dakota is hereby amended and reenacted to read as follows:

Section 7. The right of trial by jury shall be secured to all, and remain inviolate. A person accused of a crime for which he may be confined for a period of more than one year has the right of trial by a jury of twelve. The legislative assembly may determine the size of the jury for all other cases, provided that the jury consists of at least six members. All verdicts must be unanimous.

SECTION 2. EFFECTIVE DATE.) The provisions of section 1 of this proposed amendment, amending section 7 of the Constitution of the state of North Dakota, shall, if adopted, be effective on July 1, 1975.

Approved September 3, 1974

73,763 to 32,813

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

CHAPTER 604

OPEN MEETINGS

Senate Concurrent Resolution No. 4010, chapter 530, 1973 Session Laws, proposed by the Forty-third Legislative Assembly of the State of North Dakota, requiring all meetings of governmental bodies to be open to the public, unless otherwise provided by law, and providing for the amendment of section 50 of the Constitution of the State of North Dakota, relating to open meetings of the legislative assembly and its committees, and providing an effective date, to read as follows:

BE IT ENACTED BY THE PEOPLE OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) The Constitution of the State of North Dakota shall be amended by adding thereto the following article:

Unless otherwise provided by law, all meetings of public or governmental bodies, boards, bureaus, commissions, or agencies of the state or any political subdivision of the state, or organizations or agencies supported in whole or in part by public funds, or expending public funds, shall be open to the public.

SECTION 2. AMENDMENT.) Section 50 of the Constitution of the State of North Dakota is hereby amended and reenacted to read as follows:

Section 50. All sessions of the legislative assembly, including the committee of the whole and meetings of legislative committees, shall be open to the public.

SECTION 3. EFFECTIVE DATE.) The provisions of section 1 of this resolution, if approved by the people, shall take effect on July 1, 1975.

Approved September 3, 1974

82,799 to 22,894

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

CHAPTER 605

JOINT BALLOT FOR GOVERNOR
AND LIEUTENANT GOVERNOR

Senate Concurrent Resolution No. 4031, chapter 531, 1973 Session Laws, proposed by the Forty-third Legislative Assembly of the State of North Dakota, providing for the amendment of sections 74 and 77 of the Constitution of the State of North Dakota, relating to the election of the governor and lieutenant governor and to the powers and duties of the lieutenant governor, to read as follows:

BE IT ENACTED BY THE PEOPLE OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 74 of the Constitution of the State of North Dakota is hereby amended and reenacted to read as follows:

Section 74. The governor and lieutenant governor shall be elected upon a joint ballot by the qualified electors of the state beginning with elections held in 1976. A single vote shall be cast upon a joint ballot by each qualified elector for the joint candidates representing the political party or affiliation of his choice. The joint candidates having the highest number of votes shall be declared elected, but if two or more joint candidates shall have an equal and highest number of votes for governor and lieutenant governor, the two houses of the legislative assembly at its next regular session shall forthwith in joint session choose one pair of such joint candidates for said offices. The returns of the election for governor and lieutenant governor shall be made in such manner as shall be prescribed by law.

SECTION 2. AMENDMENT.) Section 77 of the Constitution of the State of North Dakota is hereby amended and reenacted to read as follows:

Section 77. The powers and duties of the lieutenant governor shall be to serve as president of the senate, but he shall have no vote unless they be equally divided. Additional duties shall be prescribed by the governor. If, during a vacancy in the office of governor, the lieutenant governor shall be impeached, displaced, resign or die, or from mental or physical disease, or otherwise become incapable of performing the duties of his office, the secretary of state shall act as governor until the vacancy shall be filled or the disability removed.

Approved November 5, 1974

111,197 to 89,977

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

CHAPTER 606
RETIREMENT, DISCIPLINE, AND
REMOVAL OF JUDGES

House Concurrent Resolution No. 3017, chapter 533, 1973 Session Laws, proposed by the Forty-third Legislative Assembly of the State of North Dakota, providing for the amendment of the Constitution of the State of North Dakota relating to the retirement, discipline, and removal of supreme and district court judges, to read as follows:

BE IT ENACTED BY THE PEOPLE OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) The Constitution of the State of North Dakota shall be amended by adding thereto the following section:

The legislative assembly may provide for the retirement, discipline and removal of judges of the supreme court and district court. The removal procedure provided for herein may be used in addition to the impeachment proceedings provided for in sections 194, 195, and 196.

Approved November 5, 1974

130,600 to 66,523

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