

PROPOSED AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 4013

Page 1, line 1, replace "section" with "sections 2, 3, 4, 5, 6, 7, and"

Page 1, line 2, after "the" insert "required number of signatures needed to place a measure on the ballot, the"

Page 1, line 2, replace "constitutional amendments" with "measures, the requirement of a single subject for each petition and measure, the individuals able to circulate a petition, and the requirement that all ballot measures must be voted on at the general election"

Page 1, line 4, after "to" insert "qualified"

Page 1, line 5, remove "who have resided in the state for at least one hundred twenty days, prohibit petition"

Page 1, line 6, remove "circulators from receiving money or items of value for circulating a petition"

Page 1, line 7, after "from" insert "qualified"

Page 1, line 8, after the comma insert "require all petitions and measures to be limited to a single subject,"

Page 1, line 8, remove "approval by sixty-seven percent of the voters"

Page 1, line 9, replace "for the measure to become effective" with "all initiated measures under article III be voted on at the general election"

Page 1, line 12, replace "amendment" with "amendments"

Page 1, line 12, replace "section" with "sections 2, 3, 4, 5, 6, 7, and"

Page 1, line 13, replace "is" with "are"

Page 1, line 14, replace "primary" with "general"

Page 1, line 14, replace "June" with "November"

Page 1, after line 15, insert:

**"SECTION 1. AMENDMENT.** Section 2 of article III of the Constitution of North Dakota is amended and reenacted as follows:

**Section 2.** An initiated measure may not embrace or be comprised of more than one subject. A petition to initiate or to refer a measure must be presented to the secretary of state for approval as to form and compliance with the single subject requirement. A request for approval must be presented over the names and signatures of twenty-five or more qualified electors as sponsors, one of whom must be designated as chairman of the sponsoring committee. The secretary of state shall approve the petition for circulation if it is in proper form and contains the names and addresses of the sponsors and the full text of the measure.

The legislative assembly may provide by law for a procedure through which the legislative council may establish an appropriate method for determining the fiscal

impact of an initiative measure and for making the information regarding the fiscal impact of the measure available to the public.

**SECTION 2. AMENDMENT.** Section 3 of article III of the Constitution of North Dakota is amended and reenacted as follows:

**Section 3.** The petition ~~shall~~may be circulated only by qualified electors. ~~They~~An individual circulating a petition shall swear thereon that the qualified electors who have signed the petition did so in their presence. Each qualified elector signing a petition also shall ~~also~~ write in the date of signing and ~~his post-office~~the qualified elector's complete residential address. ~~No~~A law shall~~may not~~ be enacted limiting the number of copies of a petition. The copies ~~shall~~must become part of the original petition when filed.

**SECTION 3. AMENDMENT.** Section 4 of article III of the Constitution of North Dakota is amended and reenacted as follows:

**Section 4.** The petition may be submitted to the secretary of state if signed by qualified electors equal in number to two percent of the resident population of the state at the last federal decennial census.

**SECTION 4. AMENDMENT.** Section 5 of article III of the Constitution of North Dakota is amended and reenacted as follows:

**Section 5.** An initiative petition ~~shall~~must be submitted not less than one hundred twenty days before the ~~statewide~~general election at which the measure is to be voted upon. A referendum petition may be submitted only within ninety days after the filing of the measure with the secretary of state. The submission of a petition ~~shall~~suspend~~suspends~~ the operation of any measure enacted by the legislative assembly except emergency measures and appropriation measures for the support and maintenance of state departments and institutions. The submission of a petition against ~~one or more items~~item or ~~part~~part of any measure ~~shall~~does not prevent the remainder from going into effect. A referred measure may be voted upon at a statewide election or at a special election called by the governor.

**SECTION 5. AMENDMENT.** Section 6 of article III of the Constitution of North Dakota is amended and reenacted as follows:

**Section 6.** The secretary of state shall pass upon each petition, and if the secretary of state finds it insufficient, the secretary of state shall notify the "committee for the petitioners" and allow twenty days for correction. All decisions of the secretary of state in regard to any petition are subject to review by the supreme court. ~~But if~~If the sufficiency of the petition is being reviewed at the time the ballot is prepared, the secretary of state shall place the measure on the ballot and no subsequent decision ~~shall~~may invalidate the measure if it is at the election approved by a majority of the votes cast ~~thereon~~on the measure. If proceedings are brought against any petition upon any ground, the burden of proof is upon the party attacking ~~it~~the petition and the proceedings must be filed with the supreme court no later than seventy-five days before the date of the applicable statewide election at which the measure is to be voted upon.

**SECTION 6. AMENDMENT.** Section 7 of article III of the Constitution of North Dakota is amended and reenacted as follows:

**Section 7.** All decisions of the secretary of state in the petition process are subject to review by the supreme court in the exercise of original jurisdiction. A proceeding to review a decision of the secretary of state must be filed with the supreme court no later than seventy-five days before the date of the applicable statewide election at which the measure is to be voted upon. If the decision of the secretary of state is being reviewed at the time the ballot is prepared, the secretary of state shall place the measure on the ballot and no court action ~~shall~~may invalidate the measure if ~~if the measure~~ is approved at the election by a majority of the votes cast thereon ~~on the measure.~~"

Page 1, line 18, remove "The petition"

Page 1, remove lines 19 and 20

Page 1, line 21, replace "any money or an in-kind item of value for circulating a petition" with "The proposed amendment may not embrace or be comprised of more than one subject, and the secretary of state may not approve the initiative petition for circulation if the proposed amendment comprises more than one subject"

Page 1, line 21, after "by" insert "qualified"

Page 1, line 25, remove "If the measure is approved by at least sixty-seven percent of the voters, the measure"

Page 2, line 1, remove "becomes effective thirty days after the election."

Renumber accordingly