

CONSTITUTIONAL AMENDMENTS PROPOSED

CHAPTER 596

HOUSE CONCURRENT RESOLUTION NO. 3033

(Representatives Mock, Hagert, Ista, Kempenich, Kreidt, Schatz)
(Senators Cleary, Meyer)

LEGACY FUND DISTRIBUTIONS

A concurrent resolution to amend and reenact section 26 of article X of the Constitution of North Dakota, relating to spending and transfers from the legacy fund.

STATEMENT OF INTENT

This measure would decrease the amount of principal available for spending each biennium and would clarify the distributions from the legacy fund.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the following proposed amendment to section 26 of article X of the Constitution of North Dakota is agreed to and must be submitted to the qualified electors of North Dakota at the general election held in 2024, in accordance with section 16 of article IV of the Constitution of North Dakota.

SECTION 1. AMENDMENT. Section 26 of article X of the Constitution of North Dakota is amended and reenacted as follows:

Section 26.

1. Thirty percent of total revenue derived from taxes on oil and gas production or extraction must be transferred by the state treasurer to a special fund in the state treasury known as the legacy fund. The legislative assembly may transfer funds from any source into the legacy fund ~~and such transfers become part of. Transfers under this subsection and earnings accruing prior to July 1, 2017, are~~ the principal of the legacy fund.
2. The principal ~~and earnings~~ of the legacy fund may not be expended, ~~until after June 30, 2017, and an~~ but an expenditure of principal after that date requires a vote of at least two-thirds of the members elected to each house of the legislative assembly. Not more than ~~fifteen~~five percent of the principal of the legacy fund may be expended during a biennium.
3. Statutory programs, in existence as a result of legislation enacted through 2009, providing for impact grants, direct revenue allocations to political

subdivisions, and deposits in the oil and gas research fund must remain in effect but the legislative assembly may adjust statutory allocations for those purposes.

4. The state investment board shall invest the ~~principal of the North Dakota~~moneys in the legacy fund. The
5. On July first of each odd-numbered year, the state treasurer shall transfer earnings of the North Dakota~~make a distribution from the legacy fund accruing after June 30, 2017, to the state general fund at the end of each biennium~~to a legacy earnings fund as provided by law, but a distribution may not result in an expenditure of principal.

Filed April 28, 2023

NOTE: This will be measure No. 3 on the 2024 general election ballot.

CHAPTER 597

SENATE CONCURRENT RESOLUTION NO. 4001

(Legislative Management)
(Acute Psychiatric Treatment Committee)

TERMINOLOGY DESCRIBING PUBLIC INSTITUTIONS

A concurrent resolution to amend and reenact sections 12 and 13 of article IX of the Constitution of North Dakota, relating to terminology describing public institutions.

STATEMENT OF INTENT

This measure would replace outdated terminology related to public institutions of the state.

BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the following proposed amendments to sections 12 and 13 of article IX of the Constitution of North Dakota are agreed to and must be submitted to the qualified electors of North Dakota at the general election to be held in 2024, in accordance with section 16 of article IV of the Constitution of North Dakota.

SECTION 1. AMENDMENT. Section 12 of article IX of the Constitution of North Dakota is amended and reenacted as follows:

Section 12. The following public institutions of the state are permanently located at the places hereinafter named, each to have the lands specifically granted to it by the United States in the Act of Congress approved February 22, 1889, to be disposed of and used in such manner as the legislative assembly may prescribe subject to the limitations provided in the article on school and public lands contained in this constitution.

1. The seat of government at the city of Bismarck in the county of Burleigh.
2. The state university and the school of mines at the city of Grand Forks, in the county of Grand Forks.
3. The North Dakota state university of agriculture and applied science at the city of Fargo, in the county of Cass.
4. A state normal school at the city of Valley City, in the county of Barnes, and the legislative assembly, in apportioning the grant of eighty thousand acres of land for normal schools made in the Act of Congress referred to shall grant to the said normal school at Valley City, as aforementioned, fifty thousand (50,000) acres, and said lands are hereby appropriated to said institution for that purpose.
5. The school for the deaf and ~~dumb of North Dakota~~ hard of hearing at the city of Devils Lake, in the county of Ramsey.

6. A state training school at the city of Mandan, in the county of Morton.
7. A state normal school at the city of Mayville, in the county of Traill, and the legislative assembly in apportioning the grant of lands made by Congress in the Act aforesaid for state normal schools shall assign thirty thousand (30,000) acres to the institution hereby located at Mayville, and said lands are hereby appropriated for said purpose.
8. A state hospital for the ~~insane~~care of individuals with mental illness at the city of Jamestown, in the county of Stutsman. And the legislative assembly shall appropriate twenty thousand acres of the grant of lands made by the Act of Congress aforesaid for other educational and charitable institutions to the benefit and for the endowment of said institution, and there shall be located at or near the city of Grafton, in the county of Walsh, ~~an institution~~a facility for the feeble minded individuals with developmental disabilities, on the grounds purchased by the secretary of the interior for a penitentiary building.

SECTION 2. AMENDMENT. Section 13 of article IX of the Constitution of North Dakota is amended and reenacted as follows:

Section 13. The following public institutions are located as provided, each to have so much of the remaining grant of one hundred seventy thousand acres of land made by the United States for "other educational and charitable institutions" as is allotted by law:

1. A soldiers' home, when located, or such other charitable institution as the legislative assembly may determine, at the city of Lisbon in the county of Ransom, with a grant of forty thousand acres of land.
2. The school for the blind at the city of Grand Forks in the county of Grand Forks or at such other location as may be determined by the legislative assembly to be in the best interests of the students of such institution and the state of North Dakota.
3. A school of forestry, or such other institution as the legislative assembly may determine, at such place in one of the counties of McHenry, Ward, Bottineau, or Rolette, as the electors of said counties may determine by an election for that purpose, to be held as provided by the legislative assembly.
4. A school of science or such other educational or charitable institution as the legislative assembly may prescribe, at the city of Wahpeton in the county of Richland, with a grant of forty thousand acres.
5. A state college at the city of Minot in the county of Ward.
6. A state college at the city of Dickinson in the county of Stark.
7. A state hospital for the ~~mentally ill~~care of individuals with mental illness at such place within this state as shall be selected by the legislative assembly.

No other institution of a character similar to any one of those located by article IX, section 12, or this section shall be established or maintained without an amendment of this constitution.

Filed March 24, 2023

NOTE: This will be measure No. 1 on the 2024 general election ballot.

CHAPTER 598

SENATE CONCURRENT RESOLUTION NO. 4013

(Senators Myrdal, Hogue)
(Representatives Cory, Lefor)

INITIATED MEASURE PETITIONS

A concurrent resolution to amend and reenact sections 2, 3, 4, and 9 of article III of the Constitution of North Dakota, relating to the process for approving initiated constitutional amendments, 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 primary and general election.

STATEMENT OF INTENT

This measure would restrict circulation of petitions for an initiated constitutional amendment to qualified electors, require all petitions and measures to be limited to a single subject, and require all constitutional initiated measures under article III be voted on at the primary and general election.

BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the following proposed amendments to sections 2, 3, 4, and 9 of article III of the Constitution of North Dakota are agreed to and must be submitted to the qualified electors of North Dakota at the general election to be held in November of 2024, in accordance with section 16 of article IV of the Constitution of North Dakota.

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, as determined by the secretary of state. 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 9 of article III of the Constitution of North Dakota is amended and reenacted as follows:

Section 9. A constitutional amendment may be proposed by initiative petition. The petition may be circulated only by qualified electors. The proposed amendment may not embrace or be comprised of more than one subject, as determined by the secretary of state, and the secretary of state may not approve the initiative petition for circulation if the proposed amendment comprises more than one subject. If signed by qualified electors equal in number to ~~four~~ five percent of the resident population of the state at the last federal decennial census, the petition may be submitted to the secretary of state. If the secretary of state finds the petition is valid, the secretary of state shall place the measure on the ballot at the next primary election. If the majority of the votes cast on the measure are affirmative in the primary election, the measure must be placed on the ballot at the general election immediately following the primary election for final consideration. If a majority of votes cast for a proposed constitutional amendment are affirmative in the general election, the measure is deemed enacted. If the measure fails to receive the required number of votes to enact the measure at either the primary election or the general election, the measure is deemed failed. All other provisions relating to initiative measures apply hereto to initiative measures for constitutional amendments.

Filed April 12, 2023

NOTE: This will be measure No. 2 on the 2024 general election ballot.