

**Sixty-fifth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 3, 2017**

SENATE BILL NO. 2135  
(Senators Hogue, Klein, Wardner)  
(Representatives Carlson, K. Koppelman, Vigesaa)

AN ACT to provide for the creation of an initiated and referred measure study commission; to provide for a report to the legislative management; to provide an expiration date; and to declare an emergency.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. INITIATED AND REFERRED MEASURE STUDY COMMISSION - DUTIES - MEMBERSHIP - REPORT TO LEGISLATIVE MANAGEMENT.**

1. During the 2017-18 interim, an initiated and referred measure study commission shall undertake a comprehensive study of the initiated and referred measure laws of North Dakota. The commission shall study, among other subjects:
  - a. The process and cost of placing initiated and referred measures on the ballot and campaigning in support of or opposition to ballot measures in North Dakota;
  - b. The processes used to place initiated and referred measures on the ballot in other states;
  - c. Whether any provision of the state constitution or state law relating to initiated or referred measures should be amended. If an amendment is warranted, the commission shall prepare a draft resolution to amend the constitution or a draft bill to amend the state law for consideration by the next legislative assembly; and
  - d. The effect of out-of-state funding on the initiated and referred measure process and whether limits on out-of-state funding are necessary.
2. The commission shall hold at least four meetings and report its findings and any recommendations, together with any legislation required to implement the recommendations, to the legislative management before September 1, 2018.
3. The commission must consist of:
  - a. One individual appointed by the chief justice of the supreme court, who shall serve as the commission chairman;
  - b. Three members of the house of representatives appointed by the majority leader of the house of representatives, and three members of the senate, one of whom must be a member of the minority party, appointed by the majority leader of the senate;
  - c. One individual appointed as a nonvoting member by the secretary of state;
  - d. Seven citizen members appointed by the governor, who shall provide public notice of available citizen positions on the commission and establish a procedure for submission of applications. One of the seven must be a member of an association that represents employees and their interests;
  - e. One individual appointed by the greater North Dakota chamber;
  - f. One individual appointed by the North Dakota newspaper association;
  - g. One individual appointed by the North Dakota farm bureau; and

- h. One individual appointed by the North Dakota farmers union.
- 4. A citizen member appointed to the commission by the governor may not be an elected or appointed official, a board member or employee of an organization identified in subdivisions e through h of subsection 3, or an employee of the governor's office.
- 5. The chairman of the legislative management committee may fill any vacancy on the commission. A vacancy must be filled by an individual who satisfies the criterion for the vacant position, such that the requirements in subsection 3 are met throughout the existence of the commission.
- 6. The commission may request appropriate staff services from the legislative council.
- 7. Commission members are entitled to mileage and expenses as provided by law for state officers and employees. Commission members who are members of the legislative assembly also are entitled to compensation for attendance at commission meetings at the rate provided for members of the legislative assembly for attendance at interim committee meetings. The expenses of the commission are to be paid by the the legislative council.
- 8. All appointments of commission members must be completed within sixty days after the effective date of this Act.

**SECTION 2. EXPIRATION DATE.** This Act is effective through June 30, 2019, and after that date is ineffective.

**SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-fifth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2135 and that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote:        Yeas 37                      Nays 9                      Absent 1

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Secretary of the Senate

This certifies that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote:        Yeas 71                      Nays 19                      Absent 4

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2017.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2017,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State