

**FIRST ENGROSSMENT
with House Amendments
ENGROSSED SENATE BILL NO. 2135**

Introduced by

Senators Hogue, Klein, Wardner

Representatives Carlson, K. Koppelman, Vigesaa

1 A BILL for an Act to provide for the creation of an initiated and referred measure study
2 commission; to provide for a report to the legislative management; to provide an expiration date;
3 and to declare an emergency.

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

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

- 7 1. During the 2017-18 interim, an initiated and referred measure study commission shall
8 undertake a comprehensive study of the initiated and referred measure laws of North
9 Dakota. The commission shall study, among other subjects:
- 10 a. The process and cost of placing initiated and referred measures on the ballot and
11 campaigning in support of or opposition to ballot measures in North Dakota;
 - 12 b. The processes used to place initiated and referred measures on the ballot in
13 other states;
 - 14 c. Whether any provision of the state constitution or state law relating to initiated or
15 referred measures should be amended. If an amendment is warranted, the
16 commission shall prepare a draft resolution to amend the constitution or a draft
17 bill to amend the state law for consideration by the next legislative assembly; and
 - 18 d. The effect of out-of-state funding on the initiated and referred measure process
19 and whether limits on out-of-state funding are necessary.
- 20 2. The commission shall hold at least four meetings and report its findings and any
21 recommendations, together with any legislation required to implement the
22 recommendations, to the legislative management before September 1, 2018.
- 23 3. The commission must consist of:

Sixty-fifth
Legislative Assembly

- 1 a. One individual appointed by the chief justice of the supreme court, who shall
2 serve as the commission chairman;
- 3 b. One individual appointed by the secretary of state;
- 4 c. Three members of the house of representatives, two of whom must be appointed
5 by the majority leader of the house of representatives and one of whom must be
6 appointed by the minority leader of the house of representatives;
- 7 d. Three members of the senate, two of whom must be appointed by the majority
8 leader of the senate and one of whom must be appointed by the minority leader
9 of the senate;
- 10 e. Seven citizen members appointed by the governor, two of whom must be past or
11 current members of a sponsoring committee for an initiated or referred measure.
12 The governor shall provide public notice of available citizen positions on the
13 commission and establish a procedure for submission of applications; and
- 14 f. Nonvoting members consisting of:
- 15 (1) One individual appointed by the greater North Dakota chamber;
- 16 f. (2) One individual appointed by the North Dakota newspaper association;
- 17 g. (3) One individual appointed by the North Dakota farm bureau; and
- 18 h. (4) One individual appointed by the North Dakota farmers union; ~~and~~.
- 19 4. A citizen member appointed to the commission by the governor may not be an elected
20 or appointed official, a member of an organization listed in subdivision f of
21 subsection 3, or an employee of the governor's office.
- 22 5. After the closing of the application period for citizen members under subdivision e of
23 subsection 3 has concluded, there must be allotted forty-five days for public review
24 and comment on the applications before the governor appoints the citizen members.
- 25 ~~6. The chairman of the legislative management committee~~appointing authority may fill
26 any vacancy on the commission.
- 27 7. The commission may request appropriate staff services from the legislative council.
- 28 8. Commission members are entitled to mileage and expenses as provided by law for
29 state officers and employees. Commission members who are members of the
30 legislative assembly also are entitled to compensation for attendance at commission

1 meetings at the rate provided for members of the legislative assembly for attendance
2 at interim committee meetings.

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

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