

**FIRST ENGROSSMENT  
with Conference Committee 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. Three members of the house of representatives appointed by the majority leader  
4           of the house of representatives, and three members of the senate, one of whom  
5           must be a member of the minority party, appointed by the majority leader of the  
6           senate;
- 7           c. One individual appointed as a nonvoting member by the secretary of state;
- 8           d. Seven citizen members appointed by the governor, who shall provide public  
9           notice of available citizen positions on the commission and establish a procedure  
10          for submission of applications. One of the seven must be a member of an  
11          association that represents employees and their interests;
- 12          e. One individual appointed by the greater North Dakota chamber;
- 13          f. One individual appointed by the North Dakota newspaper association;
- 14          g. One individual appointed by the North Dakota farm bureau; and
- 15          h. One individual appointed by the North Dakota farmers union.
- 16      4. A citizen member appointed to the commission by the governor may not be an elected  
17      or appointed official, a board member or employee of an organization identified in  
18      subdivisions e through h of subsection 3, or an employee of the governor's office.
- 19      5. The chairman of the legislative management committee may fill any vacancy on the  
20      commission. A vacancy must be filled by an individual who satisfies the criterion for the  
21      vacant position, such that the requirements in subsection 3 are met throughout the  
22      existence of the commission.
- 23      6. The commission may request appropriate staff services from the legislative council.
- 24      7. Commission members are entitled to mileage and expenses as provided by law for  
25      state officers and employees. Commission members who are members of the  
26      legislative assembly also are entitled to compensation for attendance at commission  
27      meetings at the rate provided for members of the legislative assembly for attendance  
28      at interim committee meetings. The expenses of the commission are to be paid by the  
29      the legislative council.
- 30      8. All appointments of commission members must be completed within sixty days after  
31      the effective date of this Act.

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

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