

Introduced by

Senators Myrdal, Burckhard, Hogue, Klein

Representatives Lefor, Louser

1 A BILL for an Act to amend and reenact section 16.1-06-09 of the North Dakota Century Code,
2 relating to the required form for measures to amend the constitution and the manner of placing
3 the measures on ballots.

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

5 **SECTION 1. AMENDMENT.** Section 16.1-06-09 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **16.1-06-09. Constitutional amendments and initiated and referred measures - Manner**
8 **of stating question - Fiscal impact statement - Explanation of effect of vote - Order of**
9 **listing.**

10 ~~Constitutional amendments or measures,~~

11 1. A measure for a constitutional amendment must be divided into clearly identifiable
12 sections, and each section of the measure may include proposed changes to only one
13 section of the constitution. The entire text of each section of the constitution to be
14 amended must be included in the measure. Language to be removed from the
15 constitution must be overstruck and language to be added to the constitution must be
16 underlined. The remaining text in the measure may not be overstruck or underlined.
17 The entirety of a measure for a constitutional amendment must be printed on the ballot
18 unless the amendment is more than five hundred words, in which case the election
19 board at each polling place shall provide a copy of the amendment complying with this
20 subsection to any voter, and a summary up to five hundred words in length which is as
21 detailed as possible and fairly represents the substance of the amendment, which
22 must be printed on the ballot in place of the full text of the measure.

23 2. Other initiated measures, and referred measures, duly certified to the county auditor
24 by the secretary of state, or any other question or measure to be voted on, except the

1 election of public officers at any primary, general, or special election including officers
2 subject to a recall petition, must, ~~unless otherwise determined by the secretary of~~
3 ~~state,~~ be stated in full in a legible manner on the ballot. ~~If~~ However, if the secretary of
4 state concludes ~~the amendment or a~~ measure other than a measure for a constitutional
5 amendment is too long to make it practicable to print in full, the secretary of state in
6 consultation with the attorney general shall cause to be printed a concise summary
7 that must fairly represent the substance of the ~~constitutional amendment or initiated or~~
8 ~~referred~~ measure.

9 3. After the ~~foregoing statement~~ measure text or summary, the secretary of state shall
10 cause to be printed a statement of the estimated fiscal impact of the constitutional
11 amendment or initiated or referred measure and a concise statement of the effect of
12 an affirmative or negative vote on the ~~constitutional amendment or initiated or referred~~
13 measure. This explanatory statement must be drafted by the secretary of state in
14 consultation with the attorney general. The words "Yes" and "No" must be printed on
15 the ballot at the close of the statement regarding the effect of an affirmative or
16 negative vote, in separate lines with an oval before each statement in which the voter
17 is to indicate how the voter desires to vote on the question by darkening the oval. If
18 two or more ~~amendments~~ measures or questions are to be voted on, they must be
19 printed on the same ballot.

20 4. The measures to be submitted to the electors must be grouped and classified as
21 constitutional measures, initiated statutes, or referred statutes and must be placed
22 within ~~such~~ the groups or classifications by the secretary of state in the order received,
23 for the purpose of placing them on the ballot. Measures submitted by the legislative
24 assembly must be placed first on the ballot within their classification in the order
25 approved by the legislative assembly. ~~Constitutional measures shall~~ Measures for
26 constitutional amendments must be placed first on the ballot, initiated statutes second,
27 and referred statutes third. After all the measures have been placed within the
28 appropriate group or classification, all measures must be numbered consecutively,
29 without regard to the various groups or classifications.