

2018 GENERAL ELECTION BALLOT MEASURES

This memorandum summarizes the constitutional and statutory measures scheduled to be included on the 2018 general election ballot.

INITIATED CONSTITUTIONAL MEASURE NO. 1 - GOVERNMENT ETHICS

This [initiated constitutional measure](#) would create a new article to the Constitution of North Dakota relating to government ethics requirements. The measure also would require any person who spent more than \$200, adjusted for inflation, to influence a statewide election, election for the Legislative Assembly, or any "state government action" to disclose the sources of the funds. The measure would require the Legislative Assembly to enact laws regarding the disclosure provisions and would give each resident taxpayer the right to initiate a lawsuit to enforce the measure's disclosure requirements.

The measure would prohibit lobbyists from offering or providing gifts to public officials and would prohibit public officials from accepting gifts from lobbyists. The measure would prohibit lobbyists from delivering campaign contributions made by others and would prohibit public officials from lobbying while in office and for 2 years after holding office. The measure defines "public official" as any elected or appointed official in the executive or legislative branch of state government and all employees of the legislative branch.

The measure would prohibit candidates from spending campaign contributions for personal benefit, require agency heads to avoid an appearance of bias in quasi-judicial proceedings, and prohibit foreign entities from making contributions or expenditures in connection with elections.

The measure would create an ethics commission of five members appointed by the Governor, the Majority Leader of the Senate, and the Minority Leader of the Senate. The measure would give the commission authority to adopt rules related to transparency, corruption, elections, and lobbying, and to investigate any alleged violation of the article of the constitution, related statutes, and the commission's rules. The measure would require the Legislative Assembly to appropriate funds to the commission.

INITIATED CONSTITUTIONAL MEASURE NO. 2 - QUALIFIED ELECTOR VOTING RIGHTS

This [initiated constitutional measure](#) would amend Section 1 of Article II of the Constitution of North Dakota regarding qualified electors. The current language of the article states, "[e]very citizen of the United States, who has attained the age of eighteen years and who is a North Dakota resident, shall be a qualified elector." The measure would replace "Every" with "Only a". The measure also would create a new section to Article II which provides only a qualified elector may vote in any general, special, or primary election for a federal, statewide, state legislative, district, county, township, city, or school district office, or for a statewide, district, or political subdivision ballot measure.

INITIATED STATUTORY MEASURE NO. 3 - LEGALIZATION OF MARIJUANA

This [initiated statutory measure](#) would amend North Dakota Century Code Chapter 19-03.1 to remove hashish, marijuana, and tetrahydrocannabinols from the list of Schedule I hallucinogenic controlled substances set forth in the Uniform Controlled Substances Act. The measure would decriminalize the possession of marijuana by an individual 21 years of age or older and provide for the same penalty as the penalty associated with a minor in possession of alcohol, for the possession of marijuana by an individual under the age of 21. The measure would provide the penalty for the distribution of marijuana to an individual under the age of 21 would be the same penalty as if an individual sold alcohol to a minor. The measure would require that any individual who has an illegitimate drug conviction have the individual's records expunged and sealed by the court automatically. The measure would require the state to pay all legal expenses for both parties and would authorize an individual to sue the state for damages caused by a failure to properly expunge records. The measure would create Chapter 66-01 to provide a definition for marijuana and marijuana paraphernalia and a general repeal of any conflicting language in Century Code.

INITIATED STATUTORY MEASURE NO. 4 - EMERGENCY RESPONDER VEHICLE PLATES

This [initiated statutory measure](#) would create a new section to Chapter 39-04 requiring the Director of the Department of Transportation to provide red personalized vehicle plates to volunteer emergency responders upon request. The measure provides the plates will not have an initial or an annual cost. Under the measure, volunteer emergency responders include firefighters and medical responders. The measure would prohibit the display of the plates on a vehicle weighing over 20,000 pounds. The measure would require the first three digits of the plates to be the last three digits of the zip code where the volunteer's department is located. The measure would provide the plates would serve as an entrance pass to all North Dakota state parks.