

**INITIATIVE PETITION
 TO THE SECRETARY OF STATE,
 STATE OF NORTH DAKOTA**

We, the undersigned, being qualified electors request the following initiated law be placed on the ballot as provided by law.

SPONSORING COMMITTEE

The following are the names and addresses of the qualified electors of the state of North Dakota who, as the sponsoring committee for the petitioners, represent and act for the petitioners in accordance with law:

Stephen E Adair, Chairperson 1009 Cottage Dr Bismarck ND 58501	Mylo S Candee 2107 N 7 th St Bismarck ND 58501	Marlene Frei 118 Riverside Park Road Bismarck ND 58504	Lloyd Jones 18460 Hwy 1804 Baldwin ND 58521	William Boyd Bicknell 4435 Riverbend Lane Bismarck ND 58504	William Wagner 863 52 nd Ave SW Hazen ND 58545
Franklin G Larson 11686 River Road Valley City ND 58072	Mike F Lalonde 408 Tulsa Dr Bismarck ND 58504	Bonnie T Johnson 2029 N 2 nd St Bismarck ND 58501	Gabe Brown 3752 106 th St NE Bismarck ND 58503	Keith Trego 9100 Sycamore Lane Bismarck ND 58504	Karen Kreil 831 N Mandan St Bismarck ND 58501
Eric Rosenquist 1401 River Road Center ND 58530	Jennifer P Kross 320 17 th Ave NE Jamestown ND 58401	Deborah Brude 315 Main St N Pekin ND 58361	Naomi Thorson 942 9 th Ave W Dickinson ND 58601	Richard E Monson 3434 114 th Ave SE Valley City ND 58072	David Nix 525 Dohn Ave Bismarck ND 58503
Paul H Myerchin 8725 Spruce Creek Road Bismarck ND 58503	Joseph J Cichy 1220 N Mandan St Bismarck ND 58501	Lisa M Omlid 1325 N 21 st St Bismarck ND 58501	William E Cornatzer 400 Restfull Drive Bismarck ND 58503	Kim C Christianson 1006 W Ave C Bismarck ND 58501	Joseph A Satrom 216 W Ave B Bismarck ND 58501
Jeff Weispfenning 6708 Island Dr Bismarck ND 58504	David A Brandt 8485 25 th St SE Buchanan ND 58420	David Lambeth 417 Terrace Drive Grand Forks ND 58201	Thomas Hutchens 2424 Timberlane Place Bismarck ND 58504		

PETITION TITLE

This initiated measure would add a new section to article X of the North Dakota Constitution creating the Clean Water, Wildlife, and Parks Trust (the "Trust") and the Clean Water, Wildlife, and Parks Fund (the "Fund") to be financed by five percent of the revenues from the State's share of oil extraction taxes. Ten percent of that amount of annual revenues would be deposited in the Trust with the principal invested by the State Investment Board; the earnings from the Trust would be transferred to the Fund to be spent on programs after January 1, 2019. Ninety percent of the annual revenues would be deposited into the Fund to be used to make grants to public and private groups to aid water quality, natural flood control, fish and wildlife habitat, parks and outdoor recreation areas, access for hunting and fishing, the acquisition of land for parks, and outdoor education for children. The Fund would be governed by a Clean Water, Wildlife, and Parks Commission comprised of the governor, attorney general, and agriculture commissioner. A thirteen-member Citizen Accountability Board would be appointed for three-year terms to review grant applications and make recommendations to the Commission. Every twenty-five years, the people would vote on the question of whether to continue the financing from the oil extraction taxes.

FULL TEXT OF THE MEASURE

IF MATERIAL IS UNDERSCORED, IT IS NEW MATERIAL WHICH IS BEING ADDED. IF MATERIAL IS OVERSTRUCK BY DASHES, THE MATERIAL IS BEING DELETED. IF MATERIAL IS NOT UNDERSCORED OR OVERSTRUCK, THE MATERIAL IS EXISTING LAW THAT IS NOT BEING CHANGED.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT. A new section to article X of the Constitution of North Dakota is created and enacted as follows:

1. The people of North Dakota create the clean water, wildlife, and parks trust to protect our clean water, wildlife and parks for the benefit of people as provided herein.
2. There is created a clean water, wildlife, and parks fund that shall be used for grants to state agencies, tribal governments, local governments, political subdivisions, and nonprofit organizations for the following purposes:
 - a. Protect, improve, maintain, or restore water quality through the restoration and protection of rivers, streams, lakes or other surface waters, groundwater, wetlands, grasslands, prairies, or forests;
 - b. Improve natural flood control through the restoration or protection of natural areas along rivers, streams, lakes or other surface waters, groundwater, wetlands, grasslands, prairies, and forests;
 - c. Protect, restore, or create wildlife and fish habitat through voluntary programs on private lands, including working farms and ranches, and public lands through grassland, prairie, wetland, stream, lake, and forest restoration, creation, and protection;
 - d. Conserve or acquire natural areas, parks, and other recreation areas or provide access for hunting and fishing; or
 - e. Create more opportunities and places for children to learn about and enjoy nature and the outdoors.
3. There is created a clean water, wildlife and parks commission that shall be comprised of the governor, attorney general and agriculture commissioner. The commission shall govern the fund in accord with this section. Any money deposited in the clean water, wildlife, and parks fund is hereby appropriated to the commission on a continuing basis for expenditure upon those programs selected by the commission as provided in this section. The commission shall keep accurate records of all financial transactions performed under this section.
4. The commission may employ staff and enter into public and private contracts as may be necessary to operate the fund. The salaries of employees and other expenditures for the operation of the fund must be paid out of the fund. No more than three percent of the funds available in a given year may be paid out of the fund to operate the fund.
5. The commission must allocate no less than seventy-five percent nor more than ninety percent of the revenue deposited in the fund on an annual basis. Ten percent of earnings of the fund shall be reserved and transferred on an annual basis to the trust established in this section.
6. The commission may not use the fund, in any manner, to finance:
 - a. Litigation;
 - b. Lobbying activities;
 - c. Activities that would unduly interfere, disrupt, or prevent the development of mineral rights;
 - d. Projects outside this state or projects that are beyond the scope of defined activities that fulfill the purposes of this section;
 - e. More than fifty percent of grant awards per biennium for any one stated purpose;
 - f. The acquisition of land through condemnation or the use of eminent domain; or
 - g. Compliance with legal mitigation requirements of any local, state, or federal permit or grant.
7. The principal and earnings of the trust may not be expended until after January 1, 2019, and an expenditure of principal after that date requires a vote of at least two-thirds of the members elected to each house of the legislative assembly. The state investment board shall invest the principal of the trust. The state treasurer shall transfer earnings of the trust accruing after January 1, 2019, to the fund established in this section at the end of each fiscal year.
8. Each regular legislative session, the commission must file a report to the citizens of the state at a public hearing before each house of the legislative assembly. The report must include a state auditor's report on the clean water, wildlife, and parks trust and clean water, wildlife, and parks fund for the previous two fiscal years.
9. There is created a citizen accountability board consisting of thirteen members. The board shall provide grant recommendations to the commission in accord with the purposes stated in this section. The board members must be qualified electors of the state and shall be appointed as follows:
 - a. Four citizen members appointed by the governor, upon the recommendation of the director of the game and fish department;

- b. Two citizen members appointed by the governor, upon the recommendation of the director of the parks and recreation department;
- c. One citizen member appointed by the governor, upon the recommendation of the indian affairs commission;
- d. Two members of the state senate, appointed by the president pro tempore, with equal representation from the two largest political parties in the senate;
- e. Two members of the house of representatives, appointed by the speaker, with equal representation from the two largest political parties in the house;
- f. One energy industry representative to be appointed by the public service commission; and
- g. One farmer or rancher to be appointed by the agriculture commissioner.

10. The terms of members of the citizen accountability board will be three years, except the terms of the initial board will vary and be drawn by lot to ensure that no more than five members be subsequently appointed each year. Board members may not serve more than three terms. The board shall select a chairman from among the members. Nine voting members is a quorum at any meeting.

11. In making appointments to the citizen accountability board, consideration shall be given to the practical experience and demonstrated knowledge in one or more of the following areas:

- a. Science, policy, or practice of natural resources, conservation, or tribal lands;
- b. Restoring, protecting, and enhancing groundwater or wetlands;
- c. Conservation practices, including professional or volunteer work restoring and protecting working agricultural lands, wetlands, prairies, forests, and habitat for fish, game, and wildlife; or
- d. The maintenance and management of public parks and recreation areas.

12. This constitutional provision shall be self-executing and shall become effective without the necessity of legislative action.

13. The initial members of the citizen accountability board shall be appointed within ninety days after the effective date of this section. Grant applications shall be considered within three hundred sixty-five days of the effective date of this section and grant applications shall be considered at least annually thereafter.

14. The state treasurer shall reserve five percent of the state's share of total revenue derived from oil extraction taxes for the purposes described in this section. Ten percent of the funds so reserved shall be transferred by the state treasurer into the clean water, wildlife, and parks trust within thirty days after the end of each calendar quarter. Ninety percent of the funds so reserved shall be transferred by the state treasurer into the clean water, wildlife, and parks fund within thirty days after the end of each calendar quarter.

15. Upon voter approval of this measure, the provisions of subsections 13 through 15 herein shall be authorized and continue until the next general election held after twenty-five years from the effective date of this section. In that general election, the secretary of state shall place a question, for approval or rejection by the people, of whether the funds reserved as provided in subsection 14 shall continue. The question presented shall include a report from state investment board indicating the then-existing balance of the clean water, wildlife, and parks trust and the annual estimated earnings to be provided to the clean water, wildlife, and parks fund. At the next statewide general election held twenty-five years after a reauthorization under this section, the issue of whether the reservation of funds described in subsection 14 herein shall be resubmitted to the voters for approval or rejection, accompanied by the report as directed herein. If a majority of the voters fail to approve the continued reservation of funds, subsections 13, 14, and 15 herein shall terminate on the first day of the calendar quarter following the date it is rejected by the voters.

SECTION 2. EFFECTIVE DATE. If approved by the voters, this measure becomes effective for oil produced on or after January 1, 2015, or the first day of the first calendar quarter beginning after the date it is approved by the voters, whichever occurs later.

INSTRUCTIONS TO PETITION SIGNERS

You are being asked to sign a petition. You must be a qualified elector. This means you are eighteen years old, you have lived in North Dakota thirty days, and you are a United States citizen. All signers shall also legibly print their name, complete residential address or rural route or general delivery address and the date of signing on the petition. Every qualified elector signing a petition must do so in the presence of the individual circulating the petition.

QUALIFIED ELECTORS

Month/Day /Year MM/DD/YYYY	PRINTED Name of Qualified Elector	SIGNED Name of Qualified Elector	Residential Address or Complete Rural Route or General Delivery Address	City, State, Zip Code
1.				
2.				
3.				
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16.				

Month/Day /Year MM/DD/YYYY	PRINTED Name of Qualified Elector	SIGNED Name of Qualified Elector	Residential Address or Complete Rural Route or General Delivery Address	City, State, Zip Code
17.				
18.				
19.				
20.				
21.				
22.				
23.				
24.				
25.				

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF _____)
(county where signed)

I, _____, being sworn, say that I am a qualified elector; that I reside at _____;
(circulator) (address)
that each signature contained on the attached petition was executed in my presence; and that to the best of my knowledge and belief each individual whose signature appears on the attached petition is a qualified elector; and that each signature contained on the attached petition is the genuine signature of the individual whose name it purports to be.

Subscribed and sworn to before me on _____, 20____, at _____, N.D.
(city)

(signature of circulator)

(NOTARY STAMPING DEVICE)

(signature of notarial officer)