

**ANALYSES OF THE  
STATEWIDE MEASURES  
APPEARING ON THE  
ELECTION BALLOT  
NOVEMBER 4, 2014**

The following analyses are for the eight measures appearing on the statewide election ballot on November 4, 2014. This publication is required by section 16.1-01-07 of the North Dakota Century Code to enable voters to become familiar with the effect of proposed measures. The full text of each measure is available on the Secretary of State's website at [www.vote.nd.gov](http://www.vote.nd.gov) or by requesting a copy from the Elections Division, Secretary of State's office at (800) 352-0867, ext. 328-4146, or from the office of any County Auditor.

In addition, as required by section 16.1-01-17 of the North Dakota Century Code, a copy of the Legislative Council's report on the estimated fiscal impact of initiated Measures No. 5, No. 6, No. 7 and No. 8 is available on the Secretary of State's website at [www.vote.nd.gov](http://www.vote.nd.gov), by calling (800) 352-0867, ext. 328-4146, or by writing to Secretary of State, 600 E Boulevard Avenue Dept 108, Bismarck ND 58505-0500.

**Analysis of Constitutional Measure No. 1**

Constitutional Measure No. 1 was placed on the ballot by action of the 2013 North Dakota Legislative Assembly with the passage of Senate Concurrent Resolution No. 4009 (2013 Session Laws, Ch. 519). If approved, this constitutional measure would create and enact a new section to Article I of the North Dakota Constitution stating, "The inalienable right to life of every human being at any stage of development must be recognized and protected."

Voting "**YES**" means you approve the measure as stated above. Voting "**NO**" means you reject the measure as stated above.

**Analysis of Constitutional Measure No. 2**

Constitutional Measure No. 2 was placed on the ballot by action of the 2013 North Dakota Legislative Assembly with the passage of House Concurrent Resolution No. 3006 (2013 Session Laws, Ch. 520). If approved, this constitutional measure would create and enact a new section to Article X of the North Dakota Constitution stating, "The state and any county, township, city, or any other political subdivision of the state may not impose any mortgage taxes or any sales or transfer taxes on the mortgage or transfer of real property."

Voting "**YES**" means you approve the measure as stated above. Voting "**NO**" means you reject the measure as stated above.

**Analysis of Constitutional Measure No. 3**

Constitutional Measure No. 3 was placed on the ballot by action of the 2013 North Dakota Legislative Assembly with the passage of House Concurrent Resolution No. 3047 (2013 Session Laws, Ch. 521). If approved, this constitutional measure would create and enact a new section to Article VIII of the North Dakota Constitution creating a three-member commission of higher education, effective July 1, 2015, with full executive responsibility for the management and operation of the North Dakota university system. The measure would repeal Section 6 of Article VIII of the Constitution relating to the current eight-member state board of higher education. Members of the new commission would be appointed by the Governor to four year terms from a list of nominees provided by a special committee, and would be subject to confirmation by the Senate. One of the commissioners must possess leadership experience in a private sector business, industry, or service and one member, at the time of appointment, must hold a professional position within the higher education sector. The commissioners could be reappointed to three consecutive terms.

Voting "**YES**" means you approve the measure as summarized above. Voting "**NO**" means you reject the measure as summarized above.

#### **Analysis of Constitutional Measure No. 4**

Constitutional Measure No. 4 was placed on the ballot by action of the 2013 North Dakota Legislative Assembly with the passage of House Concurrent Resolution No. 3011 (2013 Session Laws, Ch. 522). If approved, this constitutional measure would require that initiated measures that are estimated to have a significant fiscal impact must be placed on the general election ballot. The measure would also prohibit the approval for circulation of any petition to initiate a constitutional amendment that would make a direct appropriation of public funds for a specific purpose or require the legislative assembly to appropriate funds for a specific purpose.

Voting “**YES**” means you approve the measure as summarized above. Voting “**NO**” means you reject the measure as summarized above.

#### **Analysis of Initiated Constitutional Measure No. 5**

Constitutional Measure No. 5 was placed on the ballot by petitions circulated by a sponsoring committee. If approved, this initiated constitutional 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.

Voting “**YES**” means you approve the measure as summarized above. Voting “**NO**” means you reject the measure as summarized above.

#### **Analysis of Initiated Statutory Measure No. 6**

Statutory Measure No. 6 was placed on the ballot by petitions circulated by a sponsoring committee. If approved, this initiated statutory measure would amend section 14-09-06.2 of the North Dakota Century Code to create a presumption that each parent is a fit parent and entitled to be awarded equal parental rights and responsibilities by a court unless there is clear and convincing evidence to the contrary; the measure would also provide a definition of equal parenting time.

Voting “**YES**” means you approve the measure as summarized above. Voting “**NO**” means you reject the measure as summarized above.

#### **Analysis of Initiated Statutory Measure No. 7**

Statutory Measure No. 7 was placed on the ballot by petitions circulated by a sponsoring committee. If approved, this initiated statutory measure would amend section 43-15-35 of the North Dakota Century Code. It would repeal the requirement that an applicant for a permit to operate a pharmacy must be a licensed pharmacist, a business entity controlled by licensed pharmacists, a hospital pharmacy, or a postgraduate medical residency program.

Voting “**YES**” means you approve the measure as summarized above. Voting “**NO**” means you reject the measure as summarized above.

### **Analysis of Initiated Statutory Measure No. 8**

Statutory Measure No. 8 was placed on the ballot by petitions circulated by a sponsoring committee. If approved, this initiated statutory measure would amend section 15.1-06-03 of the North Dakota Century Code to require school classes to begin after Labor Day.

Voting **“YES”** means you approve the measure as summarized above. Voting **“NO”** means you reject the measure as summarized above.