

**ANALYSES OF THE STATEWIDE MEASURES
APPEARING ON THE ELECTION BALLOT
NOVEMBER 5, 2024**

The following analysis is for the measures appearing on the statewide General Election ballot on November 5, 2024. 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 from the North Dakota Office of the Secretary of State at vote.nd.gov, by phone at 701-328-4146, or from the office of any County Auditor.

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 is available from the North Dakota Office of the Secretary of State at vote.nd.gov, by phone at 701-328-4146, or by writing to the North Dakota Secretary of State, 600 E Boulevard Ave., Dept 108, Bismarck ND 58505-0500.

**Analysis of Constitutional Measure No. 1
(Senate Concurrent Resolution 4001, 2023 Session Laws, Ch. 597)**

Constitutional Measure No. 1 was placed on the ballot by action of the 2023 North Dakota Legislative Assembly with the passage of Senate Concurrent Resolution No. 4001 (2023 Session Laws, Chapter 597). If approved, this constitutional measure would amend and reenact sections 12 and 13 of article IX of the Constitution of North Dakota, relating to the replacement of outdated terminology describing public institutions of the state.

The proposed amended sections are summarized as follows: the "school for the deaf and dumb of North Dakota" is changed to the "school for the deaf and hard of hearing"; a "state hospital for the insane" is changed to a "state hospital for the care of individuals with mental illness"; an "institution for the feebleminded" is changed to a "facility for individuals with developmental disabilities"; and a "state hospital for the mentally ill" is changed to a "state hospital for the care of individuals with mental illness."

The estimated fiscal impact of this measure is none.

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

Analysis of Constitutional Measure No. 2
(Senate Concurrent Resolution 4013, 2023 Session Laws, Ch. 598)

Constitutional Measure No. 2 was placed on the ballot by action of the 2023 North Dakota Legislative Assembly with the passage of Senate Concurrent Resolution No. 4013 (2023 Session Laws, Chapter 598). If approved, this constitutional measure would amend and reenact sections 2, 3, 4, and 9 of article III of the Constitution of North Dakota, relating to initiated constitutional amendments.

If approved, the proposed amendments would require both constitutional and non-constitutional initiated measures to be limited to one subject as determined by the Secretary of State, who may not approve the initiated petition if it comprises more than one subject; require that measure sponsors be qualified electors; require that only qualified electors may circulate a petition; require petition signers to provide a complete residential address; and increase the number of signatures required to place a constitutional initiated measure on the ballot from four percent to five percent of the North Dakota resident population. Additionally, the proposed amendments would require that constitutional initiated measures approved by the Secretary of State be voted upon by the voters at the next primary election and, if approved by a majority of the voters, voted upon at the general election immediately following the primary election; if the measure fails at either the primary or general election, the measure is deemed failed.

The estimated fiscal impact of this measure is none.

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

Analysis of Constitutional Measure No. 3
(House Concurrent Resolution 3033, 2023 Session Laws, Ch. 596)

Constitutional Measure No. 3 was placed on the ballot by action of the 2023 North Dakota Legislative Assembly with the passage of House Concurrent Resolution No. 3033 (2023 Session Laws, Chapter 596). If approved, this constitutional measure would amend and reenact section 26 of article X of the Constitution of North Dakota, relating to spending and transfers from the legacy fund.

The measure intends to decrease the amount of principal available for spending each biennium and clarify the distributions from the legacy fund. If approved, the proposed amendments would require transfers and earnings accruing prior to July 1, 2017 to be deemed as the principal of the legacy fund; reduce the amount of the principal of the legacy fund available to be expended during a biennium from fifteen percent to five percent; require the state investment board to invest the moneys in the legacy fund, not limited to the principal; and on July first of odd-numbered years, require the state treasurer to make a distribution of the legacy fund earnings into a legacy earnings fund.

The estimated fiscal impact of this measure is none.

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

Analysis of Initiated Constitutional Measure No. 4

Initiated Constitutional Measure No. 4 was placed on the ballot by petitions circulated by a sponsoring committee. If approved, it would amend sections 1, 14, 15, and 16 and repeal sections 4, 5, 7, 9 and 10 of Article X of the North Dakota Constitution.

If approved, it would prohibit political subdivisions from levying any tax on the assessed value of real or personal property, except for the payment of bonded indebtedness incurred through a certain date, and would require the state to provide replacement payments to political subdivisions of no less than the current real property tax levies. It would limit the debt of a political subdivision to an amount not to exceed two and one-half percent of the full and true value of the real property in the political subdivision; however, by a vote, an incorporated city could increase its indebtedness to four percent and a school district could increase its indebtedness to five percent. It would allow an incorporated city to become indebted in an amount not exceeding two percent of its full and true value for water and sewer projects. It would require a political subdivision incurring indebtedness to provide for annual revenues to pay the debt payments when due and would prohibit a political subdivision from issuing general obligation bonds secured with tax levied on the assessed value of property.

The estimated fiscal impact of this measure is \$3.15 billion increase in biennial expenditures to the state beginning in the 2025-2027 biennium.

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

Analysis of Initiated Statutory Measure No. 5

Initiated Statutory Measure No. 5 was placed on the ballot by petitions circulated by a sponsoring committee.

If approved, it would create a new chapter of the North Dakota Century Code. It would allow for the production, processing, and sale of cannabis and the possession and use of various forms of cannabis by individuals who are 21 years of age and older; direct a state entity to regulate and register adult use cannabis production businesses, dispensaries, and their agents; provide protections for individuals who are 21 years of age or older who use cannabis; provide penalties for violations of the chapter; preserve certain employer rights regarding use of cannabis products by employees; supersede local ordinances that otherwise would prohibit the purchase, sale, use, delivery, or growing of cannabis by or to individuals 21 years of age or older; and provide that fees must be appropriated for administration of this chapter.

The estimated fiscal impact of this measure includes revenues of \$10,227,600, expenses of \$8,324,275, and an undetermined amount of additional costs associated with behavioral health and social impacts for the 2025-2027 biennium.

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