

**ANALYSIS OF THE STATEWIDE
MEASURES
APPEARING ON THE ELECTION
BALLOT
NOVEMBER 6, 2018**

The following analyses are for the four measures appearing on the statewide general election ballot on November 6, 2018. 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 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. 1, No. 2, No. 3, and No. 4 is available on the Secretary of State's website at 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 Initiated Constitutional
Measure No. 1**

Initiated Constitutional Measure No. 1 was placed on the ballot by petitions circulated by a sponsoring committee. If approved, this initiated measure would add a new article to the North Dakota Constitution establishing a North Dakota ethics commission. The commission, using funds provided by the legislature, would be responsible for adopting rules related to corruption, elections, and lobbying and for reporting and investigating alleged violations of those rules and related state laws. The measure would provide for prohibitions for lobbyists related to gift giving and delivery of campaign contributions and prohibitions for public officials against lobbying, use of campaign contributions, and conflicts of interest in certain proceedings. The measure would direct the legislative assembly to enact laws that require electronically accessible public disclosure of the source of funds spent (in any medium and in an amount greater than two hundred dollars) to influence statewide and legislative

elections and statewide ballot measures or to lobby or otherwise influence state government action. In a conflict between this article and any other provision in the North Dakota Constitution, the provisions of this article would control.

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. 2**

Initiated Constitutional Measure No. 2 was placed on the ballot by petitions circulated by a sponsoring committee. If approved, this initiated measure would amend Article II of the North Dakota Constitution to state that "only a citizen" of the United States is a qualified elector, instead of the current provision that states "every citizen" of the United States is a qualified elector. The measure also would state that 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 ballot measure.

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. 3**

Initiated Statutory Measure No. 3 was placed on the ballot by petitions circulated by a sponsoring committee. If approved, this initiated measure would amend the North Dakota Century Code by removing hashish, marijuana, and tetrahydrocannabinols from the list of schedule I controlled substances in section 19-03.1-05. It would create chapter 66-01, which would define the terms marijuana and marijuana paraphernalia and prohibit prosecution of any person over the age of 21 for any non-violent marijuana related activity (including growing, manufacturing, distributing, selling, or testing marijuana) or drug paraphernalia relating to any non-violent marijuana activity, except for the sale of marijuana to a person under the age of 21. Any language in the North Dakota Century Code that conflicts with

chapter 66-01, including the prohibitions on prosecution, is nullified and repealed. The measure also would add penalties for individuals under the age of twenty-one in possession of, or attempting to distribute, marijuana; and provide penalties for individuals who distribute marijuana to anyone under the age of twenty-one. It would amend the definition of drug paraphernalia in section 19-03.4-01 to apply only to non-marijuana controlled substances. It would amend section 25-03.1-45 to require the automatic expungement of the record of an individual who has a drug conviction for a controlled substance that has been legalized; create an appeals process for an individual who believes the state did not expunge a record properly; and eliminate the state's sovereign immunity for damages resulting from expungement lawsuits.

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. 4**

Initiated Statutory Measure No. 4 was placed on the ballot by petitions circulated by a sponsoring committee. If approved, this initiated measure would add a new section to chapter 39-04 of the North Dakota Century Code requiring the Department of Transportation to issue red personalized vehicle plates to volunteer emergency responders. The plates would be provided at no cost to the volunteers and would serve as an entrance pass to all North Dakota state parks. Qualifications and verification procedures for the plates would be designated by the Department of Transportation in cooperation with the volunteer organizations.

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