

The Basic Steps To Do An Initiative In North Dakota Statutes And Amendments – Direct Initiative Process

Basic Procedures: Proponents must file their petition with the Secretary of State for approval before they can circulate. The request for approval must be presented over the names and signatures of twenty-five or more electors as sponsors, one of whom must be designated as chairman of the sponsoring committee. The Secretary of State will approve the petition for circulation if it is in proper form and contains the names and addresses of the sponsors and the full text of the measure.

Additionally, upon receipt of the petition, the Secretary of State will draft a short and concise statement which must fairly represent the measure. The statement must be submitted to the Attorney General for approval or disapproval. An approved statement must be affixed to the petition before it is circulated for signatures, must be called the "ballot title", and must be placed immediately before the full text of the measure.

The Secretary of State and the Attorney General must complete their review of the petition in not less than five, nor more than seven, business days.

Date Initiative language can be submitted to state for 2001 or 2002: Any time. Initiatives are placed on the next election ballot after signatures are certified, which could be the general election ballot, a primary ballot, or even a special election. (Exception: Sometimes when the legislature calls a special election for a referred ballot measure they ban the placement of any initiatives on that special election ballot, in which case the initiative will be on the next ballot.)

Signatures are tied to vote of which office: Resident population at the last federal decennial census [Next federal census - 2010. Resident Population in last federal census - 1990: 638,800. North Dakota's new census population will be certified sometime before the end of 2001.]

Net number of signatures required: For statutes, 2% of the population. (12,776) and for amendments, 4% of the population. (25,552) (These numbers will change after the 2000 census is certified sometime in 2001.)

Distribution Requirement: None.

Circulation period: 1 year.

Do circulators have to be residents: Yes.

Date when signatures are due for certification: 90 days before the election. (March 13, 2002 for the June 11th Primary Election. August 7, 2002 for the November 5, 2002 General Election.)

Signature verification process: North Dakota does not have a voter registration process. As a result, there are no registered voters. Proponents, however, must collect the signatures of North Dakota residents. The Secretary of State then conducts a representative random sampling of the signatures contained in the petitions by the use of questionnaires, post cards, telephone calls, personal interviews, or other accepted information gathering techniques to determine the validity of the signatures.

Single-subject restriction: No.

Legislative tampering: Legislature can repeal or amend by a 2/3 vote of each house for seven year after passage, majority vote thereafter.