



Ballot Initiative STRATEGY CENTER

Ballot Initiative Overview

2008 Election

North Dakota

This year, North Dakotans are facing two attacks on the investments they've made in their state's infrastructure. First, the state legislature has referred a measure to the ballot that would limit access to money generated via taxes on the oil industry, one of North Dakota's major sources of revenue. The second measure of concern would cut individual income taxes by 50% and corporate income taxes by 15%, and is sponsored by the North Dakota chapter of Americans for Prosperity, which was founded by Kansas oil baron David Koch.

Historically, the initiative process was well utilized through the 20th Century in North Dakota for very populist means. Initiatives during this time reflected a backlash against state-owned industries by bankers and grain dealers. Many of these measures concerned the corporate farmer, subsidies on crops, and the administration practices of state banks. In 1938, North Dakotans passed an initiative providing for pensions for senior citizens.

Perhaps the most hotly contested initiative in the state's history was a 1978 measure to establish a state agency to regulate health care costs. Sponsored by state Insurance Commissioner Byron Knudsen, it provoked intense opposition from hospitals' and doctors' organizations, which raised \$175,000 for their effort to oppose it - a huge amount by North Dakota standards. Voters rejected the initiative by a three-to-one margin. Even though North Dakota ranks as one of the top five most prolific initiative states since 1904, until this year only two statewide initiatives had qualified for the ballot since 1998.

Four measures were on the statewide ballot (two passed).

Three were citizen-petitioned initiatives.

One was a legislative referral.

3 Statutory Initiatives Qualified

Measure 2: Investment/Taxes

This initiated statutory measure would amend sections 57-38-30 and 57-38-30.3 of the North

Dakota

Century Code. This initiated measure would amend sections 57-38-30 and 57-38-30.3 of the North Dakota Century Code for tax years beginning after December 31, 2008 by lowering the state corporate income tax rates by fifteen percent and the adjusted state income tax rates by fifty percent, except for one taxpayer bracket where the reduction would be forty-five percent and for two other brackets where some income would not be taxed.

Proponents: Americans for Prosperity,

<http://www.americansforprosperity.org/index.php?state=nd>

Opponents: Partners to Protect North Dakota's future,

<http://www.nomeasure1nd.com/measure2/>

FAILED 30% - 70%

Measure 3: Health Care

This initiated statutory measure would add seven new sections to the North Dakota Century Code and amends section 54-27-25. This measure would establish a tobacco prevention and control advisory committee and an executive committee; develop and fund a comprehensive statewide tobacco prevention and control plan; and create a tobacco prevention and control trust fund to receive tobacco settlement dollars to be administered by the executive committee.

Proponents: Support Tobacco Prevention, <http://www.stpnd.org/>

Opponents: No Committee Identified

PASSED 54% - 46%

Measure 4: Administration of Government

This initiated statutory measure would add two new sections to Title 65 of the North Dakota Century

Code. This measure would provide for the appointment by the Governor of the director for the Workforce Safety and Insurance agency, the placement of its employees into the state personnel system, and for the appointment of independent administrative law judges to conduct hearings and make final decisions.

Proponents: Citizens for Accountability in Government

Opponents: No Committee Identified

PASSED 67% - 33%

1 Constitutional Amendment Was Referred

Measure 1: Investment/Taxes

This constitutional measure would add a new section to Article X of the North Dakota Constitution. This measure would establish a permanent oil tax trust fund from oil and gas tax revenue exceeding one hundred million dollars per biennium, adjusted for inflation; interest earnings on the trust fund would be transferred to the general fund each year; and no more than twenty percent of the principal of the trust fund could be spent each biennium, if approved by three-fourths of the members of both houses of the legislature.

Proponents: Permanent Promise Coalition, <http://www.measure1nd.com/>

Opponents: Partners to Protect North Dakota's future, <http://nomeasure1nd.com/>
FAILED 36% - 64%

*For additional information please check with the North Dakota Secretary of State:
<http://www.nd.gov/sos/>*