

**ANALYSIS OF THE  
STATEWIDE MEASURES  
APPEARING ON THE  
GENERAL ELECTION BALLOT  
NOVEMBER 7, 2006**

The following analyses are for the three measures appearing on the statewide General Election ballot on November 7, 2006. 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.nd.gov/sos](http://www.nd.gov/sos) or by requesting a copy from either the Elections Division, Secretary of State's office at (800) 352-0867, ext. 8-4146, 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 Measures No. 2 and No. 3 is available on the Secretary of State's website at [www.nd.gov/sos](http://www.nd.gov/sos), by calling (800) 352-0867, ext. 84146, or by writing to Secretary of State, 600 E Boulevard Avenue Dept 108, Bismarck ND 58505.

**Analysis of Constitutional Measure No. 1**

Constitutional Measure No. 1 was placed on the ballot by action of the 2005 North Dakota Legislative Assembly with the passage of House Concurrent Resolution No. 3037 (2005 Session Laws, Ch. 624). If approved, it would amend sections 1 and 2 of Article IX of the North Dakota Constitution.

This measure would require that the common schools and other permanent trust funds be managed to preserve purchasing power and to provide stable distributions to beneficiaries. It would change trust fund distributions based on interest and income earned to that based on the fund's average value; require all revenue produced by a trust fund to be deposited into the fund; and provide for paying administrative costs from the respective trusts.

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**

Constitutional Measure No. 2 was placed on the ballot by petitions circulated by a sponsoring committee. If approved, it would amend section 16 of Article I of the North Dakota Constitution.

This measure would provide that the taking of private property for public use or purpose does not include public economic development benefits and that private property could not be taken for private benefit unless necessary for conducting a common carrier or utility business.

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**

Statutory Measure No. 3 was placed on the ballot by petitions circulated by a sponsoring committee. If approved, it would add a new section to chapter 14-09 of the North Dakota Century Code.

This measure would provide that, for child custody and support in the event of a divorce, separation, or custody proceeding, each parent would be entitled to joint legal and physical custody unless first declared unfit based on clear and convincing evidence; that parents must develop a joint parenting plan, with a court becoming involved only if parents do not agree on a plan; that child support payments be based on the parenting plan and could not be greater than the actual cost of providing for the basic needs of each child.

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