INITIATIVE PETITON TO THE SECRETARY OF STATE STATE OF NORTH DAKOTA

We, the undersigned, being qualified electors request the following initiated law be placed on the ballot as provided by law.

SPONSORING COMMITTEE

The following are the names and addresses of the qualified electors of the state of North Dakota who, as the sponsoring committee for the petitioners, represent and act for the petitioners in accordance with law:

Don Berge, chairman
4417 104 Ave SE
Litchville, ND 58461

Roger Bischoff
1290 Central Ave. N
Valley City, ND 58072

Charles Damschen
9461 80th Street NE
Hampden, ND 58338-9351

Richard Flanders
8545 County Rd
Calvin, ND 58323

Heidi Heitkamp
21 Captain Leach Drive
Mandan, ND 58554

Kenneth Kroeplin
HC 1 Box 39
Hope, ND 58046

Michael M. Mahoney
132 Sleepy Hollow
Grand Forks, ND 58201

Charlene E Nelson
15703 31st St. SE
Casselton, ND 58012

Jody Reinke
PO Box 2646
Center, ND 58530

Brian R. Volk
6010 80th Ave NE
Webster, ND 58382

Glen E. Baltrusch
312 Alder Ave.
Harvey, ND 58341-1022

Jill Bourgois
914 Divide Street
Hazen, ND 58545

T Dickson
9901 Island Rd
Bismarck, 58501

Erling Haugland
Box 1473
Bismarck, ND 58502

Paul Henderson
Box 12
Calvin ND 58323

Robert Lebacken
834 4th Ave NE
Reynolds, ND 58275

Dennis J. Miller
9467 63rd St NE
Lawton, ND 58345

William S. Patrie
7201 Burnt Creek Loop
Bismarck, ND 58503

John Strand
1212 Monte Carlo Drive
Fargo, ND 58102

Kathleen Volk
6253 Hwy 20
Webster, ND 58382-9603

Michael Williams
1529 5th St So
Fargo, ND 58103

James B. Berg
7013 79th Ave. NE
Starkweather, ND 58377

L. A. Braunagel
8366 48th St. NE
Devils Lake, ND 58301

April Fairfield
318 S Main
Eldridge, ND 58401

Joel C Heitkamp
9457 West Ridge Rd
Hankinson, ND 58041

Aaron Krauter
10545 59th ST. SW
Regent, ND 58650

Robert Lebrun
513 8th Ave
Langdon, ND 58249

Ralph Muecke
3441 100th Ave. SW
Gladstone, ND 58630

Arlette Preston
2622 34th Ave SW
Fargo, ND 58104

Vonne Tarnovsky
12771 Long X Road
Watford City, ND 58854

Richard R.Volk
6253 Hwy 20
Webster, ND 58382-9603

BALLOT TITLE

This initiated measure would amend the North Dakota Constitution, Article I, Section 16 relating to the taking of private property for public use, by defining public use or purpose as not including public economic development benefits, and providing that private property could not be taken for private benefit unless necessary for conducting a common carrier or utility business.

FULL TEXT OF THE MEASURE

IF MATERIAL IS UNDERSCORED, IT IS NEW MATERIAL WHICH IS BEING ADDED. IF MATERIAL IS OVERSTRUCK BY DASHES, THE MATERIAL IS BEING DELETED. IF NO MATERIAL IS UNDERSCORED OR OVERSTRUCK, THE MEASURE CONTAINS ALL NEW MATERIAL WHICH IS BEING ADDED.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 16 of Article I of the North Dakota Constitution is amended and reenacted as follows:

Section 16. Private property shall not be taken or damaged for public use without just compensation having been first made to, or paid into court for the owner, unless the owner chooses to accept annual payments as may be provided for by law. No right of way shall be appropriated to the use of any corporation until full compensation therefor be first made in money or ascertained and paid into court for the owner, unless the owner chooses annual payments as may be provided by law, irrespective of any benefit from any improvement proposed by such corporation. Compensation shall be ascertained by a jury, unless a jury be waived. When the state or any of its departments, agencies or political subdivisions seeks to acquire right of way, it may take possession upon making an offer to purchase and by depositing the amount of such offer with the clerk of the district court of the county wherein the right of way is located. The clerk shall immediately notify the owner of such deposit. The owner may thereupon appeal to the court in the manner provided by law, and may have a jury trial, unless a jury be waived, to determine the damages, which damages the owner may choose to accept in annual payments as may be provided for by law. Annual payments shall not be subject to escalator clauses but may be supplemented by interest earned.

<u>For purposes of this section, a public use or a public purpose does not include public benefits of economic development, including an increase in tax base, tax revenues, employment, or general economic health. Private property shall not be taken for the use of, or ownership by, any private individual or entity, unless that property is necessary for conducting a common carrier or utility business.</u>

INSTRUCTIONS TO PETITION SIGNERS

You are being asked to sign a petition. You must be a qualified elector. This means you are eighteen years old, you have lived in North Dakota thirty days, and you are a United States citizen. All signers must add their complete residential address or rural route or general delivery address and the date of signing. Every qualified elector signing a petition must do so in the presence of the person circulating the petition.

QUALIFIED ELECTORS

Month/Day/Year	Name of qualified elector	Residential address or Complete Rural Route or General Delivery Address	City, State, Zip Code
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			

STATE OF NORTH DAKOTA)
)ss
COUNTY OF _____)
(county where signed)

I,_____ , being sworn, say that I am a qualified elector; that I reside
(circulator)

at_____; that each signature contained on the attached
(address)
petition was executed in my presence; and that to the best of my knowledge and belief each person whose signature appears on the attached petition is a qualified elector; and that each signature contained on the attached petition is the genuine signature of the person whose name it purports to be.

_____
(Signature of Circulator)

Subscribed and sworn to before me on _____, _____, at _____, North Dakota.
(city)

(NOTARY SEAL / STAMP)

_____
(Signature of notary)
Notary Public
My commission expires _____