

Initiated Statutory Measure No. 3

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 nonviolent 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Dakota Century Code that conflicts with chapter 66-01, including the prohibitions on prosecution, is nullified and repealed.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.

() YES – means you approve the measure summarized above.

() NO – means you reject the measure summarized above.