

Introduced by

Senators Solberg, Grindberg, O'Connell

1 A concurrent resolution for the amendment of section 11 of article IV of the Constitution of
2 North Dakota, relating to the filling of vacancies in the legislative assembly.

3 **STATEMENT OF INTENT**

4 This amendment would require the legislative assembly to provide by law a specific method for
5 filling vacancies in the legislative assembly to replace the requirement that the governor issues
6 writs of election to fill vacancies.

7 **BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF**
8 **REPRESENTATIVES CONCURRING THEREIN:**

9 That the following proposed amendment to section 11 of article IV of the Constitution of
10 North Dakota is agreed to and must be submitted to the qualified electors of North Dakota at
11 the primary election to be held in 2000, in accordance with section 16 of article IV of the
12 Constitution of North Dakota.

13 **SECTION 1. AMENDMENT.** Section 11 of article IV of the Constitution of North
14 Dakota is amended and reenacted as follows:

15 **Section 11.** The ~~governor shall issue writs of election~~ legislative assembly shall
16 provide by law a procedure to fill such vacancies as may occur occurring in either house of the
17 legislative assembly. The procedure must provide that the district executive committee of the
18 political party of the member whose position becomes vacant select a person to fill the vacancy
19 until the next general election, at which time the office must be filled by election for the
20 remainder of the term. If the former member was elected as an independent candidate or if the
21 executive committee does not make an appointment within ten days after receiving the notice
22 of the vacancy from the secretary of state, the governor shall appoint a resident of the district to
23 serve until the next general election, at which time the office must be filled by election for the
24 remainder of the term.