

CONSTITUTIONAL AMENDMENTS PROPOSED

CHAPTER 519

HOUSE CONCURRENT RESOLUTION NO. 3047

(Representatives Carlson, Koppelman)
(Senator Christmann)

LEGISLATOR APPOINTMENT TO STATE OFFICE

A concurrent resolution to amend and reenact section 6 of article IV of the Constitution of North Dakota, relating to the appointment of a member of the legislative assembly to a full-time appointive state office.

STATEMENT OF INTENT

This measure provides that a member of the legislative assembly may not be appointed to an office for which the compensation has been increased in an amount greater than any general increase provided to full-time state employees by the legislative assembly during that member's term of office.

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

That the following proposed amendment to section 6 of article IV of the Constitution of North Dakota is agreed to and must be submitted to the qualified electors of North Dakota at the primary election to be held in 2012, in accordance with section 16 of article IV of the Constitution of North Dakota.

SECTION 1. AMENDMENT. Section 6 of article IV of the Constitution of North Dakota is amended and reenacted as follows:

Section 6. While serving in the legislative assembly, no member may hold any full-time appointive state office established by this constitution or designated by law. During the term for which elected, no member of the legislative assembly may be appointed to any full-time office ~~which that~~ has been created, ~~or by the legislative assembly.~~ During the term for which elected, no member of the legislative assembly may be appointed to any full-time office for which the compensation has been increased, by the legislative assembly during that term has increased the compensation in an amount greater than the general rate of increase provided to full-time state employees.

Filed April 20, 2011

NOTE: This will be measure No. 1 on the 2012 primary election ballot.

CHAPTER 520

SENATE CONCURRENT RESOLUTION NO. 4006

(Senators Dever, Lyson, Mathern)
(Representatives L. Meier, Koppelman)

POLL TAX ELIMINATED

A concurrent resolution for the repeal of section 6 of article X of the Constitution of North Dakota, relating to elimination of the authority for the legislative assembly to levy an annual poll tax.

STATEMENT OF INTENT

This measure removes the constitutional provision allowing the legislative assembly to levy an annual poll tax of not more than one dollar and fifty cents on every male inhabitant of this state over twenty-one and under fifty years of age, except paupers, idiots, insane persons, and Indians not taxed.

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

That the following proposed repeal of section 6 of article X of the Constitution of North Dakota is agreed to and must be submitted to the qualified electors of North Dakota at the general election to be held in 2012, in accordance with section 16 of article IV of the Constitution of North Dakota.

SECTION 1. REPEAL. Section 6 of article X of the Constitution of North Dakota is repealed.

Filed April 15, 2011

NOTE: This will be measure No. 1 on the 2012 general election ballot.

CHAPTER 521

HOUSE CONCURRENT RESOLUTION NO. 3009

(Representatives Conklin, Koppelman)
(Senators Mathern, Warner)

OATHS OF OFFICE

A concurrent resolution for the amendment of section 4 of article XI of the Constitution of North Dakota, relating to oaths of office of elected and appointed officials.

STATEMENT OF INTENT

This amendment provides that members of the executive branch are required to take the oath prescribed by this section.

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

That the following proposed amendment to section 4 of article XI of the Constitution of North Dakota is agreed to and must be submitted to the qualified electors of North Dakota at the general election to be held in 2012, in accordance with section 16 of article IV of the Constitution of North Dakota.

SECTION 1. AMENDMENT. Section 4 of article XI of the Constitution of North Dakota is amended and reenacted as follows:

Section 4. Members of the legislative assembly and the executive and judicial ~~department~~branches, except such inferior officers as may be by law exempted ~~shall~~, before they enter on the duties of their respective offices, shall take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm as the case may be) that I will support the Constitution of the United States and the Constitution of the State of North Dakota; and that I will faithfully discharge the duties of the office of _____ according to the best of my ability, so help me God" (if an oath), (under pains and penalties of perjury) if an affirmation, and ~~no~~any other oath, declaration, or test ~~shall~~may not be required as a qualification for any office or public trust.

Filed April 20, 2011

NOTE: This will be measure No. 2 on the 2012 general election ballot.