

Introduced by

Representatives K. Koppelman, Kasper, Klemin, Louser, Pollert

Senators Dever, Larson

1 A concurrent resolution to amend and reenact section 4 of article XIV of the Constitution of  
2 North Dakota, relating to removing a provision that negates other provisions in the Constitution  
3 of North Dakota.

4 **STATEMENT OF INTENT**

5 This measure would remove a supremacy clause that negates all provisions in the Constitution  
6 of North Dakota which conflict with any provision in article XIV.

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

9 That the following proposed amendment to section 4 of article XIV of the Constitution of  
10 North Dakota is agreed to and must be submitted to the qualified electors of North Dakota at the  
11 general election to be held in 2022, in accordance with section 16 of article IV of the  
12 Constitution of North Dakota.

13 **SECTION 1. AMENDMENT.** Section 4 of article XIV of the Constitution of North Dakota is  
14 amended and reenacted as follows:

15 **Section 4.**

- 16 1. This article is self-executing and all of its provisions are mandatory. Laws may be  
17 enacted to facilitate, safeguard, or expand, but not to hamper, restrict, or impair, this  
18 article. This article shall take effect sixty days after approval.
- 19 2. For the purposes of this article, "public office" or "public official" means any elected or  
20 appointed office or official of the state's executive or legislative branch, including  
21 members of the ethics commission, or members of the governor's cabinet, or  
22 employees of the legislative branch, and "agency" means each board, bureau,  
23 commission, department, or other administrative unit of the executive branch of state  
24 government, including one or more officers, employees, or other persons directly or  
25 indirectly purporting to act on behalf or under authority of the agency.

- 1           3. If any provision of this article is held to be invalid, either on its face or as applied to any  
2           person, entity, or circumstance, the remaining provisions, and the application thereof  
3           to any person, entity, or circumstance other than those to which it is held invalid, shall  
4           not be affected thereby. ~~In any case of a conflict between any provision of this article~~  
5           ~~and any other provision contained in this constitution, the provisions of this article shall~~  
6           control.