

GENERAL PROVISIONS

CHAPTER 45

HOUSE BILL NO. 1051
(Strinden, Bunker, Backes, Weber)
(From Legislative Council Study)

IRRECONCILABLE CONSTITUTIONAL AMENDMENTS

AN ACT to create and enact section 1-02-09.2 and to amend and reenact section 1-02-09, both of the North Dakota Century Code, relating to reconciliation of two or more concurrent resolutions proposing conflicting amendments or additions to the Constitution of the State of North Dakota.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 1-02-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

1-02-09. IRRECONCILABLE STATUTES OR CONSTITUTIONAL AMENDMENTS PASSED DURING THE SAME SESSION.) Whenever the provisions of two or more statutes passed during the same session of the legislative assembly are irreconcilable, the statute latest in date of final passage by the legislative assembly, irrespective of the date on which it was approved or allowed to become law by the governor or of its effective date, shall prevail from the time it becomes effective. Whenever two or more concurrent resolutions, adopted during the same session of the legislative assembly, propose to create or amend, or amend and repeal, the same section of the Constitution of North Dakota, the secretary of state, in consultation with the attorney general, shall determine if the proposals are irreconcilable, and if they are irreconcilable, the resolution last adopted by the legislative assembly, as determined by the legislative council or its designee, shall be placed on the ballot for the appropriate election for approval or disapproval by the electorate.

SECTION 2.) Section 1-02-09.2 of the North Dakota Century Code is hereby created and enacted to read as follows:

1-02-09.2. RECONCILIATION OF CONFLICTING PROPOSED AMENDMENTS TO THE CONSTITUTION.) If two or more concurrent resolutions propose to amend or create the same section of the Constitution of North Dakota, and the proposed sections are reconcilable, the legislative council, or its designee, shall prepare a reconciled text and submit it to the secretary of state for inclusion in the appropriate ballot.

CHAPTER 46

HOUSE BILL NO. 1281
(Hilleboe)

HOLIDAYS

AN ACT to amend and reenact section 1-03-01 of the North Dakota Century Code, deleting election day as a holiday.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 1-03-01 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

1-03-01. HOLIDAYS.) Holidays are as follows:

1. Every Sunday.
2. The first day of January, which is New Year's Day.
3. The third Monday in February, in recognition of the birthday of George Washington.
4. The Friday next preceding Easter Sunday and commonly known as Good Friday.
5. The last Monday in May, which is Memorial Day.
6. The fourth day of July, which is the anniversary of the Declaration of Independence.
7. The first Monday in September, which is Labor Day.
8. The eleventh day of November, which is Veterans' Day.
9. The fourth Thursday in November, which is Thanksgiving Day.
10. The twenty-fifth day of December, which is Christmas Day.
11. Every day appointed by the President of the United States or by the governor of this state for a public holiday.

Nothing in this section shall be construed to prevent the holding of legislative sessions or the taking of final action on any legislative matter upon any of such holidays other than Sunday. Any action heretofore taken upon any legislative matter upon any such holiday shall be valid and legal for all purposes.

Approved March 17, 1975

CHAPTER 47

SENATE BILL NO. 2096
(Sands)

DAY FOLLOWING A HOLIDAY

AN ACT to amend section 1-03-02 of the North Dakota Century Code, relating to when a day following a holiday shall be a holiday.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 1-03-02 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

* 1-03-02. WHEN DAY FOLLOWING HOLIDAY SHALL BE A HOLIDAY.)
If the first day of January, the fourth day of July, or the twenty-fifth day of December falls upon a Sunday, the Monday following shall be the holiday.

Approved March 12, 1975

*NOTE: Section 1-03-02 was also amended by section 1 of Senate Bill No. 2263, chapter 48.

CHAPTER 48

SENATE BILL NO. 2263
(J. Schultz, Ringsak)

VETERANS' DAY FALLING ON SUNDAY

AN ACT to amend and reenact section 1-03-02 of the North Dakota Century Code, to provide that when November 11 falls on a Sunday, the following Monday is a holiday.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 1-03-02 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

*1-03-02. WHEN DAY FOLLOWING HOLIDAY SHALL BE A HOLIDAY.) If the first day of January, the fourth day of July, the eleventh day of November, or the twenty-fifth day of December falls upon a Sunday, the Monday following shall be the holiday.

Approved March 19, 1975

*NOTE: Section 1-03-02 was also amended by section 1 of Senate Bill No. 2096, chapter 47.

CHAPTER 49

HOUSE BILL NO. 1319
(K. Johnson, Solberg, Eagles)

BIRD DAY

AN ACT to provide for a permanent bird day in North Dakota on April 26 of each year.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. BIRD DAY.) To promote and encourage the conservation and enjoyment of one of nature's most attractive features, and to honor the birth and work of naturalist John James Audubon who made America's birds known to the world through his drawings and vivid prose, April twenty-sixth of each year is hereby designated as "Bird Day" in the state of North Dakota.

Approved March 13, 1975