

Fifty-fifth  
Legislative Assembly  
of North Dakota

## HOUSE CONCURRENT RESOLUTION NO. 3022

Introduced by

Representative Kretschmar

1 A concurrent resolution to create and enact two new sections to article VIII of the Constitution of  
2 North Dakota, relating to free public education and the state board of public education; to repeal  
3 sections 1, 2, 3, 4, and 5 of article VIII of the Constitution of North Dakota, relating to the  
4 establishment and maintenance of a system of free public schools, the branches of knowledge  
5 to be taught in those schools, and to the support of those schools; and to provide an effective  
6 date.

### STATEMENT OF INTENT

8 This amendment creates two new sections to article VIII of the Constitution of North Dakota  
9 relating to the duties of the legislative assembly with respect to a system of free public  
10 education and to a state board of public education to supervise the system of elementary and  
11 secondary education. The amendment also repeals sections 1 2, 3, 4, and 5 of article VIII of  
12 the Constitution of North Dakota, relating to the legislative duties to provide for a system of free  
13 public schools, the branches of knowledge to be taught in those schools, and to the support of  
14 schools, and provides that these changes will take effect August 1, 1999.

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

17 That the following proposed creation of two new sections to article VIII and the repeal of  
18 sections 1, 2, 3, 4, and 5 of article VIII of the Constitution of North Dakota are agreed to and  
19 must be submitted to the qualified electors of North Dakota at the primary election to be held in  
20 1998, in accordance with section 16 of Article IV of the Constitution of North Dakota.

21 **SECTION 1.** A new section to article VIII of the Constitution North Dakota is created  
22 and enacted as follows:

23 The legislative assembly shall provide for a uniform system of free public education.  
24 The legislative assembly shall take other steps necessary to prevent illiteracy and to provide for  
25 special education and vocational education. Schools and institutions so established must be

1 free from sectarian control. No money raised for the support of public schools of the state may  
2 be appropriated to or used for the support of any sectarian school.

3 **SECTION 2.** A new section to article VIII of the Constitution of North Dakota is created  
4 and enacted as follows:

5 The state board of public education shall supervise a uniform system of elementary and  
6 secondary public education. The board shall perform other duties as prescribed by law. The  
7 board consists of nine members, with staggered seven-year terms, appointed by the governor  
8 and confirmed by the senate in a manner provided by law. The board shall appoint an  
9 executive officer and shall prescribe the executive officer's term and duties.

10 **SECTION 3. REPEAL.** Sections 1, 2, 3, 4, and 5 of article VIII of the Constitution of  
11 North Dakota are repealed.

12 **SECTION 4. EFFECTIVE DATE.** If approved by the electors, this measure becomes  
13 effective on August 1, 1999.