

Introduced by

Representatives Weisz, DeKrey, Nelson

Senator Klein

1 A concurrent resolution directing the Legislative Council to study the separation of powers
2 between the legislative, executive, and judicial branches and the distinction between the
3 responsibilities of each branch.

4 **WHEREAS**, Section 26 of Article XI of the Constitution of North Dakota provides that
5 the legislative, executive, and judicial branches are co-equal branches of government; and

6 **WHEREAS**, with the exception of the power of the people to propose and enact laws by
7 the initiative, the sole legislative power of the state is vested in the Legislative Assembly, the
8 judicial power of the state is vested in the courts, and the the administrative power of the state
9 is vested in the executive branch; and

10 **WHEREAS**, the thoughtful and prudent exercise of these powers by each of these
11 separate and coequal branches, with due respect and consideration for authority and
12 responsibility of the other, is in the best interest of the people;

13 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES**
14 **OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

15 That the Legislative Council study the separation of powers between the legislative,
16 executive, and judicial branches and the distinction between the responsibilities of each branch;
17 and

18 **BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and
19 recommendations, together with any legislation required to implement the recommendations, to
20 the Fifty-eighth Legislative Assembly.