

Fifty-eighth
Legislative Assembly
of North Dakota

HOUSE CONCURRENT RESOLUTION NO. 3071

Introduced by

Representatives Brusegaard, Kasper

1 A concurrent resolution for the amendment of section 18 of article X of the Constitution of North
2 Dakota, relating to the use of public funds.

3 **STATEMENT OF INTENT**

4 This measure makes it a prima facie crime for a public official to vote to misappropriate public
5 funds.

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

8 That the following proposed amendment to section 18 of article X of the Constitution of
9 North Dakota is agreed to and must be submitted to the qualified electors of North Dakota at
10 the primary election to be held in 2004, in accordance with section 16 of article IV of the
11 Constitution of North Dakota.

12 **SECTION 1. AMENDMENT.** Section 18 of article X of the Constitution of North Dakota
13 is amended and reenacted as follows:

14 **Section 18.** The state, any county, or any city may make internal improvements and
15 ~~may~~ engage in any industry, enterprise, or business, not prohibited by article XX of the
16 constitution, but neither the state nor any political subdivision ~~thereof shall~~ of the state may
17 otherwise loan ~~or~~, give its credit, or make donations to or in aid of any individual, ~~association or~~
18 ~~corporation~~ organization except for reasonable support of the poor, nor may the state or any
19 political subdivision subscribe to or become the owner of capital stock in any ~~association or~~
20 ~~corporation~~ organization. Any public official who votes to appropriate public funds in violation of
21 this section is guilty of misappropriation of public funds and the attorney general shall prosecute
22 the crime. The public record of the vote for an appropriation in violation of this section is prima
23 facie evidence that a crime has been committed. This section is self-executing.