

Fifty-eighth  
Legislative Assembly  
of North Dakota

## HOUSE CONCURRENT RESOLUTION NO. 3005

Introduced by

Representatives Belter, Kretschmar, Martinson

Senators Mathern, Traynor, Wardner

(At the request of the Adjutant General)

1 A concurrent resolution to create and enact a new section to article XI of the Constitution of  
2 North Dakota, relating to the militia; for the amendment of section 16 of article XI of the  
3 Constitution of North Dakota, relating to the definition of the state's militia; and to provide an  
4 effective date.

5 **STATEMENT OF INTENT**

6 This measure clarifies the definition of militia.

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

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

13 **SECTION 1.** A new section to article XI of the Constitution of North Dakota is created  
14 and enacted as follows:

15 The militia of this state consists of the active militia and the reserve militia.

16 **SECTION 2. AMENDMENT.** Section 16 of article XI of the Constitution of North  
17 Dakota is amended and reenacted as follows:

18 **Section 16.** The reserve militia of this state ~~shall consist~~ consists of all able-bodied  
19 male ~~persons~~ individuals residing in the state; between the ages of eighteen and forty-five  
20 years and individuals who volunteer and are accepted, except ~~such as may be~~ individuals  
21 exempted by the laws of the United States or of this state. ~~Persons~~ Individuals whose religious  
22 tenets or conscientious scruples forbid them to bear arms ~~shall~~ may not be compelled to do so  
23 in times of peace, but shall pay an equivalent for a personal service.

24 **SECTION 3. EFFECTIVE DATE.** If approved by the voters, this measure becomes  
25 effective on August 1, 2004.