

Introduced by

Senators Solberg, Grindberg, O'Connell

1 A concurrent resolution for the amendment of section 11 of article IV of the Constitution of  
2 North Dakota, relating to the filling of vacancies in the legislative assembly.

3 **STATEMENT OF INTENT**

4 This amendment would require the legislative assembly to provide by law a specific method for  
5 filling vacancies in the legislative assembly to replace the requirement that the governor issues  
6 writs of election to fill vacancies.

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

9 That the following proposed amendment to section 11 of article IV of the Constitution of  
10 North Dakota is agreed to and must be submitted to the qualified electors of North Dakota at  
11 the primary election to be held in 2000, in accordance with section 16 of article IV of the  
12 Constitution of North Dakota.

13 **SECTION 1. AMENDMENT.** Section 11 of article IV of the Constitution of North  
14 Dakota is amended and reenacted as follows:

15 **Section 11.** The ~~governor shall issue writs of election~~ legislative assembly shall  
16 provide by law a procedure to fill such vacancies as may occur occurring in either house of the  
17 legislative assembly. The procedure must provide that the district executive committee of the  
18 political party of the member whose position becomes vacant select a person to fill the vacancy  
19 until the next general election, at which time the office must be filled by election for the  
20 remainder of the term. If the former member was elected as an independent candidate or if the  
21 executive committee does not make an appointment within ten days after receiving the notice  
22 of the vacancy from the secretary of state, the governor shall appoint a resident of the district to  
23 serve until the next general election, at which time the office must be filled by election for the  
24 remainder of the term.