

HOUSE CONCURRENT RESOLUTION NO. 3057

Introduced by

Representatives Kretschmar, Maragos, Winrich

Senators Mathern, O'Connell, Traynor

1 A concurrent resolution for the amendment of sections 8 and 13 of article IV of the Constitution
2 of North Dakota, relating to election of presiding officers of the legislative assembly and
3 legislative procedures; and to repeal section 12 of article V and section 13 of article XI of the
4 Constitution of North Dakota, relating to duties of the lieutenant governor and impeachment
5 proceedings.

6 **STATEMENT OF INTENT**

7 This measure removes the lieutenant governor as presiding officer of the senate and provides
8 that the presiding officer of the senate must be elected from the membership of the senate.

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

11 That the following proposed amendments to sections 8 and 13 of article IV and repeal of
12 section 12 of article V and section 13 of article XI of the Constitution of North Dakota are
13 agreed to and must be submitted to the qualified electors of North Dakota at the primary
14 election to be held in 2004, in accordance with section 16 of article IV of the Constitution of
15 North Dakota.

16 **SECTION 1. AMENDMENT.** Section 8 of article IV of the Constitution of North Dakota
17 is amended and reenacted as follows:

18 **Section 8.** ~~The~~ Each house of representatives shall elect one of its members to act as
19 presiding officer at the beginning of each organizational session.

20 **SECTION 2. AMENDMENT.** Section 13 of article IV of the Constitution of North
21 Dakota is amended and reenacted as follows:

22 **Section 13.** Each house shall keep a journal of its proceedings, and a recorded vote on
23 any question shall be taken at the request of one-sixth of those members present. No bill may
24 become law except by a recorded vote of a majority of the members elected to each house;

1 ~~and the lieutenant governor is considered a member elect of the senate when the lieutenant~~
2 ~~governor votes.~~

3 No law may be enacted except by a bill passed by both houses, and no bill may be
4 amended on its passage through either house in a manner which changes its general subject
5 matter. No bill may embrace more than one subject, which must be expressed in its title; but a
6 law violating this provision is invalid only to the extent the subject is not so expressed.

7 Every bill must be read on two separate natural days, and the readings may be by title
8 only unless a reading at length is demanded by one-fifth of the members present.

9 No bill may be amended, extended, or incorporated in any other bill by reference to its
10 title only, except in the case of definitions and procedural provisions.

11 The presiding officer of each house shall sign all bills passed and resolutions adopted
12 by the legislative assembly, and the fact of signing shall be entered at once in the journal.

13 Every law, except as otherwise provided in this section, enacted by the legislative
14 assembly during its eighty natural meeting days takes effect on August first after its filing with
15 the secretary of state, or if filed on or after August first and before January first of the following
16 year ninety days after its filing, or on a subsequent date if specified in the law unless, by a vote
17 of two-thirds of the members elected to each house, the legislative assembly declares it an
18 emergency measure and includes the declaration in the Act. Every appropriation measure for
19 support and maintenance of state departments and institutions and every tax measure that
20 changes tax rates enacted by the legislative assembly take effect on July first after its filing with
21 the secretary of state or on a subsequent date if specified in the law unless, by a vote of
22 two-thirds of the members elected to each house, the legislative assembly declares it an
23 emergency measure and includes the declaration in the Act. An emergency measure takes
24 effect upon its filing with the secretary of state or on a date specified in the measure. Every law
25 enacted by a special session of the legislative assembly takes effect on a date specified in the
26 Act.

27 The legislative assembly shall enact all laws necessary to carry into effect the provisions
28 of this constitution. Except as otherwise provided in this constitution, no local or special laws
29 may be enacted, nor may the legislative assembly indirectly enact special or local laws by the
30 partial repeal of a general law but laws repealing local or special laws may be enacted.

- 1 **SECTION 3. REPEAL.** Section 12 of article V and section 13 of article XI of the
- 2 Constitution of North Dakota are repealed.