

Introduced by

Representatives Kretschmar, Hawken, Nicholas

Senators Espegard, Nething, Tallackson

1 A concurrent resolution to create and enact two new sections to article V of the Constitution of
2 North Dakota, relating to organization of the executive branch and a state planning council.

3 **STATEMENT OF INTENT**

4 This measure provides that the executive power must be allocated by the legislative assembly
5 among not more than eighteen state departments and that the chief executives of the principal
6 state departments constitute the state planning council.

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

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

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

15 The legislative assembly shall allocate the executive power among not more than
16 eighteen principal state departments, which must be organized along broad functional lines.
17 The executive power of each department is vested in one individual unless otherwise provided
18 by this constitution or by law. The legislative assembly shall prescribe the duties of and
19 periodically reorganize the executive departments, provided a reorganization or change in
20 duties may not affect any constitutionally elective official or constitutionally created entity.

21 For more effective administration, the governor may make changes in the statutory
22 allocation of functions, powers, and duties among and within the executive departments, other
23 than those headed by constitutionally elective officials. A change must be set forth in an
24 executive order and submitted to both houses of the legislative assembly on the same day.
25 The legislative assembly has thirty legislative days to disapprove the order. If not disapproved

1 by a majority of the members elected to either house, the order has the force of law when filed
2 with the secretary of state or on a later date specified in the order.

3 **SECTION 2.** A new section to article V of the Constitution of North Dakota is created
4 and enacted as follows:

5 The chief executives of the principal state departments constitute the state planning
6 council. The governor is the chairman of the council and the lieutenant governor is the vice
7 chairman. The council shall prepare a comprehensive state plan based on the comprehensive
8 plan for each department.