

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 for the amendment of section 17 of article XI of the Constitution of
2 North Dakota, relating to the organization of the state's military forces; to repeal sections 16, 18,
3 19, 20, and 21 of article XI of the Constitution of North Dakota, relating to the organization,
4 membership requirements, and appointment of officers of the state's militia and privilege from
5 arrest during periods of military service; and to provide an effective date.

6 **STATEMENT OF INTENT**

7 The amendment of section 17 and the repeal of sections 16, 18, 19, 20, and 21 of article XI of
8 the Constitution of North Dakota removes obsolete language relating to age, gender, and
9 residency requirements for membership in the military forces of the state and provides the
10 legislative assembly with authority to organize the military forces of this state and appoint
11 officers in accordance with federal law.

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

14 That the following proposed amendment to section 17 and the proposed repeal of
15 sections 16, 18, 19, 20, and 21 of article XI of the Constitution of North Dakota are agreed to
16 and must be submitted to the qualified electors of North Dakota at the primary election to be
17 held in 2004, in accordance with section 16 of article IV of the Constitution of North Dakota.

18 **SECTION 1. AMENDMENT.** Section 17 of article XI of the Constitution of North
19 Dakota is amended and reenacted as follows:

20 **Section 17.** The ~~militia shall~~ military forces of this state must be enrolled, organized,
21 uniformed, armed, and disciplined in such a manner as shall be provided by law, not
22 incompatible and compatible with the constitution or laws of the United States.

23 **SECTION 2. REPEAL.** Sections 16, 18, 19, 20, and 21 of article XI of the Constitution
24 of North Dakota are repealed.

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