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Fifty-ninth
Legislative Assembly
of North Dakota

SENATE CONCURRENT RESOLUTION NO. 4012

Introduced by

Senators Mathern, Triplett

Representative DeKrey

1   A concurrent resolution for the amendment of section 16 of article XI of the Constitution of North

2   Dakota, relating to the definition of this state's militia; and to provide an effective date.

3   **STATEMENT OF INTENT**

4   This measure defines reserve and active militia and removes obsolete language in regard to

5   age and gender in the reserve militia and removes residency requirements for membership in

6   the active militia that is defined as the National Guard of North Dakota.

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 16 of article XI 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 2006, in accordance with section 16 of article IV of the

12   Constitution of North Dakota.

13   **SECTION 1. AMENDMENT.** Section 16 of article XI of the Constitution of North

14   Dakota is amended and reenacted as follows:

15   **Section 16.** The reserve militia of this state shall consist consists of all able-bodied

16   male persons individuals eighteen years of age and older residing in the state, between the

17   ages of eighteen and forty-five years, except such as may be unless exempted by the laws of

18   the United States or of this state. Persons The active militia is the national guard of this state

19   and consists of individuals who volunteer and are accepted unless exempted by the laws of the

20   United States or of this state. An individual whose religious tenets or conscientious scruples

21   forbid them that individual to bear arms shall may not be compelled to do so in times of peace,

22   but that individual shall pay an equivalent for a personal service.

23   **SECTION 2. EFFECTIVE DATE.** If approved by the voters, this measure becomes

24   effective on August 1, 2006.