

**Fifty-ninth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 4, 2005**

SENATE CONCURRENT RESOLUTION NO. 4012  
(Senators Mathern, Triplett)  
(Representative DeKrey)

A concurrent resolution for the amendment of section 16 of article XI of the Constitution of North Dakota, relating to the definition of this state's militia; and to provide an effective date.

**STATEMENT OF INTENT**

This measure defines reserve and active militia and removes obsolete language in regard to age and gender in the reserve militia and removes residency requirements for membership in the active militia that is defined as the National Guard of North Dakota.

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

That the following proposed amendment to section 16 of article XI of the Constitution of North Dakota is agreed to and must be submitted to the qualified electors of North Dakota at the primary election to be held in 2006, in accordance with section 16 of article IV of the Constitution of North Dakota.

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

**Section 16.** The reserve militia of this state shall consist ~~consists~~ of all able-bodied ~~male persons~~ individuals ~~eighteen years of age and older residing in the state, between the ages of eighteen and forty five years, except such as may be~~ unless exempted by the laws of the United States or of this state. ~~Persons~~ The active militia is the national guard of this state and consists of individuals who volunteer and are accepted unless exempted by the laws of the United States or of this state. An individual whose religious tenets or conscientious scruples forbid ~~them~~ that individual to bear arms ~~shall may~~ not be compelled to do so in times of peace, but that individual shall pay an equivalent for a personal service.

**SECTION 2. EFFECTIVE DATE.** If approved by the voters, this measure becomes effective on August 1, 2006.

\_\_\_\_\_  
President of the Senate

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Speaker of the House

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Chief Clerk of the House

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2005,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State