

Sixty-fourth
Legislative Assembly
of North Dakota

**ENGROSSED SENATE CONCURRENT
RESOLUTION NO. 4010**

Introduced by

Senators Wardner, Schneider

Representatives Carlson, Onstad

1 A concurrent resolution ~~to amend and reenact section 5 of article IV of the Constitution of North~~
2 ~~Dakota, relating to residency requirements of members of the legislative assembly.~~directing the
3 Legislative Management to study the residency requirements of members of the Legislative
4 Assembly.

STATEMENT OF INTENT

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6 ~~This measure would require a member of the legislative assembly to be a resident of the district~~
7 ~~from which selected.~~

8 WHEREAS, North Dakota Century Code Section 44-02-01 provides that an office becomes
9 vacant if the incumbent ceases to be a resident of the state, district, county, or other political
10 subdivision in which the duties of the office are to be discharged, or for which the individual may
11 have been elected; and

12 WHEREAS, questions have arisen regarding the statutory provision and how it applies to
13 members of the Legislative Assembly;

14 ~~BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF~~
15 ~~REPRESENTATIVES CONCURRING THEREIN:~~

16 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE
17 HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

18 ~~That the following proposed amendment to section 5 of article IV of the Constitution of~~
19 ~~North Dakota is agreed to and must be submitted to the qualified electors of North Dakota at the~~
20 ~~primary election to be held in 2016, in accordance with section 16 of article IV of the~~
21 ~~Constitution of North Dakota.~~

22 ~~SECTION 1. AMENDMENT. Section 5 of article IV of the Constitution of North Dakota is~~
23 ~~amended and reenacted as follows:~~

24 ~~Section 5. Each person elected to member of the legislative assembly must be, on the day~~
25 ~~of the election during the entire term for which selected, a qualified elector in the district from~~

1 ~~which the member was chosen~~selected and must have been a resident of the state for one year
2 ~~immediately prior to that election~~selection to the legislative assembly. Each house of the
3 ~~legislative assembly shall adopt rules regarding confirmation and verification of the~~
4 ~~qualifications, as required under this section, of its members throughout the term for which~~
5 ~~elected.~~

6 That the Legislative Management study the residency requirements of members of the
7 Legislative Assembly; and

8 **BE IT FURTHER RESOLVED**, that the Legislative Management report its findings and
9 recommendations, together with any legislation required to implement the recommendations, to
10 the Sixty-fifth Legislative Assembly.