

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

SENATE CONCURRENT RESOLUTION NO. 4028

Introduced by

Senators Gerhardt, Hogue, Roers

Representatives Nathe, Brandenburg, Vigesaa

1 A concurrent resolution to create and enact a new article to the Constitution of North Dakota,
2 relating to term limits for the governor, lieutenant governor, statewide elected officials, and
3 members of the legislative assembly and prior years of service for members of the legislative
4 assembly and statewide elected officers; to repeal sections 2, 3, 4, 5, and 6 of article XV of the
5 Constitution of North Dakota, relating to cumulative term limits for members of the legislative
6 assembly and the office of governor, and legislative authority, and initiative petition processes,
7 ~~and severability~~; and to provide an effective date.

STATEMENT OF INTENT

8
9 This measure provides an individual may not be elected more than ~~three times as a member of~~
10 ~~the house of representatives and three times as a member of the senate~~ four complete four-year
11 terms to the legislative assembly. The measure restricts an individual from being elected more
12 than three times as agriculture commissioner, attorney general, auditor, insurance
13 commissioner, public service commissioner, secretary of state, superintendent of public
14 instruction, tax commissioner, or treasurer. The measure prohibits an individual from being
15 elected as the governor or lieutenant governor more than twice. The measure provides that
16 service before the ~~2018~~ 2022 general election may not count toward a term limit established
17 under the measure. The measure repeals conflicting provisions of article XV of the Constitution
18 of North Dakota and a provision prohibiting the legislative assembly from proposing
19 constitutional amendments relating to term limits. The measure provides the changes will take
20 effect on January 1, 2027.

21 **BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF**

22 **REPRESENTATIVES CONCURRING THEREIN:**

1 That the following proposed new article to the Constitution of North Dakota and the repeal
2 of sections 2, 3, 4, 5, and 56 of article XV of the Constitution of North Dakota are agreed to and
3 must be submitted to the qualified electors of North Dakota at the general election to be held in
4 2026, in accordance with section 16 of article IV of the Constitution of North Dakota.

5 **SECTION 1.** A new article to the Constitution of North Dakota is created and enacted as
6 follows:

7 **Section 1.** An individual may not be elected to the office of governor or lieutenant governor
8 more than twice. This provision does not prevent the lieutenant governor from succeeding to the
9 office of governor, nor does it prevent the secretary of state from acting as governor.

10 **Section 2.** An individual may not be elected agriculture commissioner, attorney general,
11 auditor, insurance commissioner, public service commissioner, secretary of state,
12 superintendent of public instruction, tax commissioner, or treasurer more than three times.

13 **Section 3.** Notwithstanding section 1 of article XV of the Constitution of North Dakota, an
14 individual may not be elected to ~~the house of representatives~~ more than ~~three times, nor may~~
15 ~~an individual be elected to the senate more than three times~~ ~~four complete four-year terms in the~~
16 ~~legislative assembly.~~

17 **Section 4.** Any prior election as a member of the house of representatives, a member of the
18 senate, the office of governor, lieutenant governor, and a statewide elected office, may not be
19 counted against the election of an individual occurring before the ~~2018~~2022 general election. An
20 individual's service by the lieutenant governor in the individual's capacity as president of the
21 senate does not count toward the cumulative amount of time an individual may serve as a
22 member of the senate.

23 ~~**Section 5.** The provisions of this article are severable. If any provision is held to be invalid,~~
24 ~~either on its face or as applied, the application of the remaining provisions of this article are not~~
25 ~~affected.~~

26 **Section 6.5.** If a conflict exists between any provision of this article and any other provision
27 of this constitution, the provisions of this article control.

28 **SECTION 2. REPEAL.** Sections 2, 3, 4, 5, and 6 of article XV of the Constitution of North
29 Dakota are repealed.

30 **SECTION 3. EFFECTIVE DATE.** If approved by the electors, this measure becomes
31 effective on January 1, 2027.