

# CONSTITUTIONAL AMENDMENTS, PROPOSED

## CHAPTER 409

### HOUSE CONCURRENT RESOLUTION "A" (Bye, Knudsen of LaMoure, Solberg) (From LRC Study)

#### CONTINUITY OF GOVERNMENT

A concurrent resolution for an amendment to the Constitution of the state of North Dakota granting power to the legislative assembly to insure continuity of state and local governmental operations in periods of emergency resulting from disaster caused by enemy attack.

*Be It Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring Therein:*

That the following proposed amendment to the Constitution of the state of North Dakota is agreed to and shall be submitted to the qualified electors of North Dakota for approval or rejection at the primary election to be held in 1962, in accordance with the provisions of section 202 of the Constitution of the state of North Dakota, as amended:

§ 1.) The legislative assembly, in order to insure continuity of state and local governmental operations in periods of emergency resulting from disasters caused by enemy attack, shall have the power and immediate duty (1) to provide for prompt and temporary succession to the powers and duties of public offices, of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such offices, and (2) to adopt such other measures as may be necessary and proper for insuring the continuity of governmental operations including, but not limited to, waiver of constitutional restrictions upon the place of transaction of governmental business, upon the calling of sessions of the legislative assembly, length of sessions, quorum and voting requirements, subjects of legislation and appropriation bill requirements, upon eligibility of legislators to hold other offices, residence requirements for legislators, and upon expenditures, loans or donations of public moneys. In the exercise of the powers hereby conferred the legislative assembly shall in all respects conform to the requirements of this Constitution except to the extent that in the judgment of the legislative assembly so to do would be impracticable or would admit of undue delay.

Filed February 1, 1961.

## CHAPTER 410

## HOUSE CONCURRENT RESOLUTION "G"

(Davis of Dunn, Hofstrand, Link, Meyer,  
Christensen of Ward, Stockman)

BUDGETS AND APPROPRIATIONS OF INSTITUTIONS  
OF HIGHER LEARNING

A concurrent resolution for an amendment to subdivision (d) of subsection 6 of article 54 of the Constitution of the state of North Dakota, relating to budgets and appropriations for institutions of higher education.

*Be It Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring Therein:*

That the following proposed amendment to subdivision (d) of subsection 6 of article 54 of the Constitution of the state of North Dakota is agreed to and shall be submitted to the qualified electors of the state of North Dakota at the primary election in June 1962, in accordance with the provisions of section 202 of the Constitution of the state of North Dakota, as amended.

**§ 1. Amendment.)** Subdivision (d) of subsection 6 of article 54 of the Constitution of the state of North Dakota is hereby amended and reenacted to read as follows:

**Article 54**

6. (d) It shall be the duty of the heads of the several state institutions hereinbefore mentioned, to submit the budget requests for the biennial appropriations for said institutions to said state board of higher education; and said state board of higher education shall consider said budgets and shall revise the same as in its judgment shall be for the best interests of the educational system of the state; and thereafter the state board of higher education shall prepare and present to the state budget board and to the legislature a single unified budget covering the needs of all the institutions under its control. "Said budget shall be prepared and presented by the board of administration until the state board of higher education organizes as provided in section 6 (a)." The appropriations for all of said institutions shall be contained in one legislative measure. The budgets and appropriation measures for the agricultural experiment stations and their substations and the cooperative agriculture extension service of the North Dakota state university of agriculture and applied science may be separate from those of state educational institutions.

Filed February 8, 1961.

## CHAPTER 411

## SENATE CONCURRENT RESOLUTION "E"

(Garaas, Holand, Fiedler, Erickstad, Van Horn, Wartner,  
(Morgan, Kamrath, Nesvig, Andre, Meidinger, Redlin)

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## REPEAL OF SECTION 39

A concurrent resolution for the repeal of section 39 of the Constitution of the state of North Dakota prohibiting any member of the legislative assembly from being appointed or elected to civil office during the term for which he shall have been elected or any office for which the compensation was increased during his term.

*Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:*

The repeal of section 39 of the Constitution of the state of North Dakota is agreed to and shall be submitted to the qualified electors of the state of North Dakota for approval or rejection at the primary election to be held in June, 1962, in accordance with the provisions of section 202 of the Constitution of the state of North Dakota, as amended:

**§ 1. Repeal.)** Section 39 of the Constitution of the state of North Dakota is hereby repealed.

Filed February 22, 1961.