

Introduced by

Representatives Skarphol, Rick C. Becker, Froseth, Kasper, Monson, Streyle

Senators Armstrong, Campbell, Carlisle, Larsen, Schaible

1 A concurrent resolution to amend and reenact section 23 of article I of the Constitution of North  
2 Dakota, relating to the rejection of unconstitutional federal actions.

3 **STATEMENT OF INTENT**

4 This measure would allow the state to exercise its sovereign authority by restricting state and  
5 local government personnel and financial resources to purposes that are consistent with the  
6 Constitution of the United States.

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

9 That the proposed amendment to section 23 of article I of the Constitution of North Dakota  
10 is agreed to and must be submitted to the qualified electors of North Dakota at the general  
11 election to be held in 2016, in accordance with section 16 of article IV of the Constitution of  
12 North Dakota.

13 **SECTION 1. AMENDMENT.** Section 23 of article I of the Constitution of North Dakota is  
14 amended and reenacted as follows:

15 **Section 23.**

- 16 1. The state of North Dakota is an inseparable part of the American union and the  
17 Constitution of the United States is the supreme law of the land to which all  
18 government, state and federal, is subject.
- 19 2. To protect the people's freedom and to preserve the checks and balances of the  
20 Constitution of the United States, this state may exercise its sovereign authority to  
21 restrict the actions of its personnel and the use of its financial resources to purposes  
22 that are consistent with the Constitution of the United States by:
- 23 a. Passage of an initiative or referendum pursuant to section 1 of article III;  
24 b. A law enacted by the legislative assembly; or  
25 c. Pursuing any other available legal remedy.

- 1        3. If the people or the legislative assembly exercise authority pursuant to this section, this
- 2            state and all political subdivisions are prohibited from using any personnel or financial
- 3            resources to enforce, administer, or cooperate with the designated federal action or
- 4            program.