

Introduced by

Senator Heitkamp

Representative Magrum

1 A concurrent resolution to amend and reenact sections 2 and 4 of article V of the Constitution of
2 North Dakota, relating to election of and qualifications of the state health officer.

3 **STATEMENT OF INTENT**

4 This measure would provide for the election of the state health officer and provide to qualify to
5 serve as state health officer the person must be a physician licensed to practice in this state.

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

8 That the following proposed amendment to sections 2 and 4 of article V of the Constitution
9 of North Dakota is agreed to and must be submitted to the qualified electors of North Dakota at
10 the general election to be held in 2022, in accordance with section 16 of article IV of the
11 Constitution of North Dakota.

12 **SECTION 1. AMENDMENT.** Section 2 of article V of the Constitution of North Dakota is
13 amended and reenacted as follows:

14 **Section 2.** The qualified electors of the state at the times and places of choosing members
15 of the legislative assembly shall choose a governor, lieutenant governor, agriculture
16 commissioner, attorney general, auditor, insurance commissioner, three public service
17 commissioners, secretary of state, state health officer, superintendent of public instruction, tax
18 commissioner, and treasurer. The legislative assembly may by law provide for a department of
19 labor to be administered by a public official who may be either elected or appointed.

20 The powers and duties of the agriculture commissioner, attorney general, auditor, insurance
21 commissioner, public service commissioners, secretary of state, state health officer,
22 superintendent of public instruction, tax commissioner, and treasurer must be prescribed by law.
23 If the legislative assembly establishes a labor department, the powers and duties of the officer
24 administering that department must be prescribed by law.

1 **SECTION 2. AMENDMENT.** Section 4 of article V of the Constitution of North Dakota is
2 amended and reenacted as follows:

3 **Section 4.** To be eligible to hold an elective office established by this article, a person must
4 be a qualified elector of this state, must be at least twenty-five years of age on the day of the
5 election, and must have been a resident of this state for the five years preceding election to
6 office. To be eligible to hold the office of governor or lieutenant governor, a person must be at
7 least thirty years old on the day of the election. The attorney general must be licensed to
8 practice law in this state. The state health officer must be licensed to practice medicine in this
9 state.