

Introduced by

Representatives Monson, K. Koppelman, Schatz, Thoreson

Senator Hogue

1 A concurrent resolution urging the Congress of the United States to take back its legislative  
2 authority to pass legislation and the President of the United States to recognize the  
3 constitutional separation of powers between the legislative and executive branches of  
4 government and not to abuse the use of executive orders.

5 **WHEREAS**, although executive orders issued by the President of the United States carry  
6 the full force and effect of law, the extensive use of executive orders by presidents likely has  
7 exceeded the authority granted to the President under the United States Constitution; and

8 **WHEREAS**, although it may be argued that because the United States Constitution grants  
9 the President the authority to "take Care that the Laws be faithfully executed", the broad use of  
10 executive orders has gone beyond executing the laws and has infringed upon the lawmaking  
11 power of the Congress; and

12 **WHEREAS**, both the Congress and the President must be mindful of the appropriate use of  
13 executive orders and the constitutional doctrine of separation of powers;

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

16 That the Sixty-third Legislative Assembly urges the Congress of the United States to take  
17 back its legislative authority to pass legislation and the President of the United States to  
18 recognize the constitutional separation of powers between the legislative and executive  
19 branches of government and to not abuse the use of executive orders; and

20 **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution  
21 to the President of the United States and to each member of the North Dakota Congressional  
22 Delegation.