

Fifty-fifth  
Legislative Assembly  
of North Dakota

## HOUSE BILL NO. 1206

Introduced by

Representative Carlson

1 A BILL for an Act to amend and reenact section 54-35-01 of the North Dakota Century Code,  
2 relating to the composition of the North Dakota legislative council; and to provide an effective  
3 date.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 54-35-01 of the 1995 Supplement to the North  
6 Dakota Century Code is amended and reenacted as follows:

7 **54-35-01. Council - Created - Members - Vacancy - Terms.** The North Dakota  
8 legislative council, ~~hereinafter in this chapter~~ referred to as the legislative council or the council,  
9 consists of the majority and minority leaders of the house and of the senate plus five senators  
10 and six representatives chosen biennially before the close of each regular legislative session.  
11 In the house of representatives the speaker of the house shall appoint ~~as to the~~ council  
12 ~~members three~~ four members recommended by the leader of ~~each the~~ political ~~faction~~ party  
13 with the largest number of members in the house and two members recommended by the  
14 leader of the political party with the next largest number of members in the house, except that  
15 the speaker must by virtue of office be one of the ~~three~~ members appointed from the speaker's  
16 ~~faction party~~. In the senate the ~~lieutenant governor~~ majority leader of the senate shall appoint  
17 ~~as to the~~ council ~~members three~~ members recommended elected by the ~~majority leader~~  
18 political party with the largest number of members in the senate and two members  
19 ~~recommended by the minority leader~~ elected by the political party with the next largest number  
20 of members in the senate. Any vacancy occurring when the legislative assembly is not in  
21 session must be filled by the selection of another member of the legislative assembly belonging  
22 to the same ~~faction~~ party as the member originally appointed, the selection to be made by the  
23 remaining senate or house members of the council, depending upon which body has the  
24 vacancy. Each senator and each representative chosen to serve on the council shall serve until

1 a new council has been selected at the next regular legislative session; provided, however, that  
2 no senator, not a holdover, who is not reelected to the senate, and no representative, who is  
3 not reelected to the house of representatives, may serve as a member of the council beyond  
4 the closing day of the term to which elected. Any vacancy occurring because any member of  
5 the council is not reelected must be filled for the period from the beginning of the session until a  
6 new council is selected, in the same manner as the original council is selected.

7 **SECTION 2. EFFECTIVE DATE.** This Act becomes effective on March 1, 1999.