

**Fifty-eighth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 7, 2003**

SENATE BILL NO. 2138  
(Government and Veterans Affairs Committee)  
(At the request of the Secretary of State)

AN ACT to amend and reenact section 54-03-03 of the North Dakota Century Code, relating to filing certificates of election and appointments with the legislative assembly and making the roll of members of the legislative assembly.

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

**SECTION 1. AMENDMENT.** Section 54-03-03 of the North Dakota Century Code is amended and reenacted as follows:

**54-03-03. Secretary of senate and chief clerk of house to receive certifications and to make roll of members - Certificate Certificates filed.** ~~The~~ At the opening of each organizational session, reconvened session, or special session of the legislative assembly, the secretary of state shall certify to the secretary of the senate and the chief clerk of the house of representatives, at the opening of each organizational session, shall make a correct roll of the respective members of their houses respectively to whom certificates of election have been issued by the proper officers or whose appointments have been filed with the secretary of state under applicable provisions of law since the preceding session of the legislative assembly. The certificates must be filed by the secretary of the senate and chief clerk. Each certificate is shall file the certifications and copies of the certificates of election or appointment, and the certifications and copies of the certificates of election or appointment are prima facie evidence of the right to membership in the respective branch of the legislative assembly of the person certified therein ~~to be elected for all purposes of the organization of either branch of the legislative assembly.~~ The secretary of state shall also certify to the secretary of the senate and the chief clerk of the house of representatives the respective members who served in the preceding session of the legislative assembly and whose terms have not expired. After the certifications are received, the secretary of the senate and the chief clerk of the house of representatives shall call and make a correct roll of the names of those respective members who have been certified by the secretary of state. The provisions of this section may not be construed to infringe on the right of each house to be the judge of the qualifications of its members.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-eighth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2138.

Senate Vote:      Yeas    47      Nays    0      Absent    0

House Vote:      Yeas    92      Nays    0      Absent    2

\_\_\_\_\_  
Secretary of the Senate

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2003.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2003.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2003,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State