

**Fifty-sixth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Tuesday, the fifth day of January, one thousand nine hundred and ninety-nine**

SENATE BILL NO. 2436  
(Senator G. Nelson)  
(Representative Carlson)

AN ACT to amend and reenact section 54-35-01 of the North Dakota Century Code, relating to the composition of the North Dakota legislative council; and to provide an effective date.

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

**SECTION 1. AMENDMENT.** Section 54-35-01 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**54-35-01. Council - Created - Members - Vacancy - Terms.** The North Dakota legislative council, ~~hereinafter in this chapter~~ referred to as the legislative council or the council, consists of the majority and minority leaders of the house and of the senate plus ~~five~~ six senators and ~~six~~ seven representatives chosen biennially before the close of each regular legislative session. In the house of representatives the speaker of the house shall appoint ~~as to the council members three~~ four members recommended by the majority leader of each political faction and three members recommended by the minority leader, except that the speaker must by virtue of office be one of the ~~three~~ four members appointed from the speaker's faction. In the senate the lieutenant governor shall appoint ~~as to the council members three~~ four members recommended by the majority leader and two members recommended by the minority leader. Any vacancy occurring when the legislative assembly is not in session must be filled by the selection of another member of the legislative assembly belonging to the same faction as the member originally appointed, the selection to be made by the remaining senate or house members of the council, depending upon which body has the vacancy. Each senator and each representative chosen to serve on the council shall serve until a new council has been selected at the next regular legislative session; provided, however, that no senator, not a holdover, who is not reelected to the senate, and no representative, who is not reelected to the house of representatives, may serve as a member of the council beyond the closing day of the term to which elected. Any vacancy occurring because any member of the council is not reelected must be filled for the period from the beginning of the session until a new council is selected, in the same manner as the original council is selected.

**SECTION 2. EFFECTIVE DATE.** This Act becomes effective January 1, 2001.

\_\_\_\_\_  
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-sixth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2436.

Senate Vote:    Yeas    29        Nays    17        Absent    3

House Vote:    Yeas    61        Nays    32        Absent    5

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

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 1999.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 1999.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 1999,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

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