

JOURNAL OF THE SENATE - SPECIAL SESSION

Fifty-seventh Legislative Assembly

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Bismarck, November 26, 2001

The Senate convened at 9:00 a.m., with President Dalrymple presiding.

The prayer was offered by Pastor Robert Lynne, Bishop (Retired), Western North Dakota Synod, Evangelical Lutheran Church in America, Bismarck.

The roll was called and all members were present except Senators Lee and Nichols.

A quorum was declared by the President.

**COMMUNICATION FROM SECRETARY OF STATE ALVIN A. JAEGER
November 26, 2001**

I hereby certify that I have attached a true and correct copy of Executive Order 2001-01, executed by Governor John Hoeven on November 7, 2001, in which he convenes the North Dakota Legislative Assembly into special session on Monday, November 26, 2001, at 9:00 a.m.

In addition, I have attached a true and correct listing of Senators who were issued Certificates of Election by the State Canvassing Board and who continue to serve, as of this date, in the respective legislative district to which they were elected.

Finally, I hereby certify that, in a letter dated August 21, 2001, I informed Gary A. Lee that he was selected to fill the Senate vacancy in District 22 according to the provisions of Section 16.1-13-10 of the North Dakota Century Code. He executed his Oath of Office on August 24, 2001, and his name is included on the attached list of Senators.

IN TESTIMONY WHEREOF, I have set my hand and affixed the Great Seal of the State of North Dakota at the Capitol in the City of Bismarck on this date.

2001 NORTH DAKOTA LEGISLATIVE ASSEMBLY - SENATE

Senator	District Number
Stanley W. Lyson	1
John M. Andrist	2
Randy A. Schobinger	3
Ronald Nichols	4
Darlene Watne	5
David O'Connell	6
Ken Solberg	7
Layton Freborg	8
Dennis Bercier	9
Tom Trenbeath	10
Tim Mathern	11
Michael A. Every	12
Judy Lee	13
Jerry Klein	14
John T. Traynor	15
Harvey Tallackson	16
Ray Holmberg	17
Linda Christenson	18
Duane Mutch	19
Elroy N. Lindaas	20
Carolyn Nelson	21
Gary A. Lee	22
Kenneth Kroepflin	23
Larry J. Robinson	24
Russell T. Thane	25
Jerome "Jerry" Kelsh	26
Joel C. Heitkamp	27
Robert S. "Bob" Erbele	28
Terry M. Wanzek	29
Bob Stenehjem	30
Steven W. Tomac	31

Dick Dever	32
Randel Christmann	33
Dwight Cook	34
Aaron Krauter	35
Herb Urlacher	36
Rich Wardner	37
Ben Tollefson	38
Bill Bowman	39
Karen K. Krebsbach	40
Tony Grindberg	41
Michael Polovitz	42
Duaine C. Espegard	43
Tim Flakoll	44
Deb Mathern	45
Thomas Fischer	46
Ralph L. Kilzer	47
Dave Nething	48
Ed Kringstad	49

EXECUTIVE ORDER 2001-01

I, John Hoeven, Governor of the State of North Dakota, by the authority vested in me, do hereby convene the North Dakota Legislative Assembly into special session on Monday, November 26, 2001, at 9:00 a.m., in the Legislative Chambers, at Bismarck, North Dakota.

This executive order is issued pursuant to the authority set forth below:

1. The governor is vested with the executive power pursuant to to Article V, Section 1 of the North Dakota Constitution;
2. The Governor is vested with the specific authority to call a special session of the Legislative Assembly pursuant to Article V, Section 7 of the North Dakota Constitution; and

This Executive Order, calling the Legislature into special session is issued for the following purposes:

- a. To provide for re-districting of government pursuant to Article IV, Section 2, of the North Dakota Constitution following the 2000 census
- b. And for such other purposes as the Legislature may deem appropriate.

Executed at Bismarck, North Dakota, this 7th day of November 2001.

OATH OF OFFICE

Justice Gerald W. VandeWalle administered the Oath of Office to newly selected Senator G. Lee and invited all Senators to stand and reaffirm their own oaths of office.

COMMUNICATION FROM GOVERNOR JOHN HOEVEN

Pursuant to North Dakota Century Code §6-01-08, I am hereby nominating Timothy Karsky of Bismarck as Commissioner to the North Dakota Department of Financial Institutions. His term ends July 12, 2005.

Pursuant to Article V, Section 8 of the North Dakota Constitution, I ask the Senate to confirm Timothy Karsky for this position during the special session.

Thank you for your consideration.

COMMUNICATION FROM GOVERNOR JOHN HOEVEN

Pursuant to North Dakota Century Code §10-04-03, I am hereby nominating Karen Tyler of West Fargo as Commissioner to the North Dakota Office of Securities. Her term ends July 1, 2005.

Pursuant to Article V, Section 8 of the North Dakota Constitution, I ask the Senate to confirm Karen Tyler for this position during the special session.

Thank you for your consideration.

COMMUNICATION FROM GOVERNOR JOHN HOEVEN

Pursuant to Article VIII, Section 6 of the North Dakota Constitution, I am hereby nominating Bruce Christianson of Minot to complete John Korsmo's term to the North Dakota State Board of Higher Education. The term ends July 1, 2003.

Mr. Christianson's name is submitted in accordance with Article VIII, Section 6 of the North Dakota Constitution. He is a graduate of Minot State College and meets the requirements of the Constitution. Therefore, during the special session and pursuant to the Attorney General's opinion (Letter Opinion, 2001-L-49) of November 19, 2001, I ask the Senate to confirm Bruce Christianson for this position.

Thank you for your consideration.

COMMUNICATION FROM GOVERNOR JOHN HOEVEN

Pursuant to North Dakota Century Code §53-06.1-01.1, I am hereby nominating Ms. Lois Altenburg of Fargo for reappointment to the North Dakota Gaming Commission. Her term ends July 1, 2004.

Pursuant to Article V, Section 8 of the North Dakota Constitution, I ask the Senate to confirm Lois Altenburg for this position during the special session.

Thank you for your consideration.

PRESENTATIONS BY LEGISLATIVE COUNCIL STAFF

A presentation regarding new security measures was given by Jay E. Buringrud, Assistant Director, and a presentation regarding Legislative Council staff services during the special session was given by John D. Olsrud, Director.

MOTION

SEN. CHRISTMANN MOVED that the Senate stand in recess until 11:00 a.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Dalrymple presiding.

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural **Joint Legislative Redistricting Committee (Sen. Holmberg, Chairman)** recommends that the Senate and Joint Rules of the 57th Legislative Assembly, as adopted on Thursday, December 7, 2000, be amended as follows for the extraordinary session of the 57th Legislative Assembly:

SECTION 1. AMENDMENT. Subsection 4 of Senate Rule 318 is amended as follows:

4. The following questions require a two-thirds vote of the members-elect of the Senate:
 - a. Initiated and referred measures amended or repealed within seven years after enactment or approval, as provided in Section 8, Article III, of the Constitution and Senate Rule 339.
 - b. Emergency clauses, as provided in Section 13, Article IV, of the Constitution.
 - c. Vetoed measures, reconsideration, as provided in Section 9, Article V, of the Constitution.
 - d. Adoption of propositions of a divided question if the division would require a two-thirds vote of the members-elect, as provided in Senate Rule 319.
 - e. To recede before a conference in a case where two-thirds governs, as provided in Joint Rule 202.
 - f. ~~Second reading same day as report, as provided in Senate Rule 337.~~
 - g. Reconsideration after the next legislative day or after a previous motion to reconsider, as provided in Senate Rule 347.
 - h. ~~g.~~ Reconsideration after a clincher motion, as provided in Senate Rule 348.
 - i. ~~h.~~ Suspension of requirement that copies of amendments be distributed before acted on, as provided in Senate Rule 601.

- j. i. Amendment, reconsideration, or suspension of a joint rule, as provided in Joint Rule 105.

SECTION 2. AMENDMENT. Senate Rule 333 is amended as follows:

333. AMEND OR REREFER ON SECOND READING. On the second reading of every bill or resolution, any amendment other than amendment of a measure reported from a conference committee or a measure on the calendar as the result of a motion to concur or not concur in amendments by the House may be received and the bill or resolution may be rereferred at any time before its final passage. Upon request of a member, a floor amendment must be submitted in writing and distributed to each member, except that during a special session of the Legislative Assembly called by the Governor, an amendment received on the second reading of a bill providing for redistricting of the Legislative Assembly may propose the concept of the amendment rather than the language needed for amendment of the bill and upon approval of the amendment the President shall rerefer the bill to committee for preparation of the amendment and the committee shall report the amended bill back to the Senate for action.

SECTION 3. AMENDMENT. Senate Rule 337 is amended as follows:

337. SECOND READING. No bill requiring the approval of the Governor, no resolution proposing a change in the Constitution of North Dakota, and no resolution ratifying an amendment to the Constitution of the United States may be referred, except in the case of a bill or resolution that is prefiled pursuant to Senate Rule 401, or amended until it has been read; nor may any such bill or resolution have its second reading and final passage until at least one day after it has been reported to the Senate by the committee to which it was referred, ~~provided that any such bill or resolution may have its second reading and final passage on the same day it is reported back when so ordered by two-thirds of the members elect of the Senate its first reading.~~

SECTION 4. AMENDMENT. Senate Rule 346 is amended as follows:

346. TRANSMITTAL OF MEASURE TO HOUSE - NOTICE OF INTENTION TO RECONSIDER. After the second reading of a bill or resolution, the Secretary of the Senate ~~shall retain the bill or resolution until the end of the next legislative day, unless the bill or resolution has previously been disposed of. On the thirty fourth legislative day and after the forty ninth legislative day, the Secretary of the Senate shall transmit the bill or resolution to the House immediately upon adjournment of that day's session unless action on the bill or resolution is pending as the result of the Senate passing a motion to reconsider or unless the Majority or Minority Leader has given notice of intention to move the reconsideration of that bill or resolution. After the fifty eighth legislative day, the Secretary of the Senate shall transmit the bill or resolution to the House immediately after the second reading of the bill or resolution unless the Majority or Minority Leader has given notice of intention to move the reconsideration of that bill or resolution. When a member in explaining the member's vote states to the Senate that the member's vote is for the purpose of reconsideration, that statement also is notice of such intention. If notice of intention to move reconsideration is given, the Secretary of the Senate shall retain the bill or resolution until adjournment of that day's session.~~

SECTION 5. AMENDMENT. Subsection 1 of Senate Rule 401 is amended as follows:

1. Any bill or resolution that conforms to statutory requirements and these rules; ~~within the number and time prescribed,~~ may be introduced by any member, standing committee, or the Legislative Council, by filing the bill or resolution with the Secretary, who shall number consecutively each bill or resolution.

SECTION 6. AMENDMENT. Subsections 1 and 2 of Senate Rule 402 are amended as follows:

1. ~~No member other than the Majority and Minority Leaders may introduce more than three bills as prime sponsor after the tenth legislative day. No bill may be introduced after the fifteenth legislative day, and no resolution, except those resolutions described in subsection 3, may be introduced after the eighteenth legislative day, except upon approval of the Legislative Council or a majority of the Delayed Bills Committee or upon two-thirds vote of the members of the Senate present and voting.~~
2. No bill introduced at the request of an executive agency or the Supreme Court may be introduced ~~after December tenth before the ensuing regular session,~~ except upon approval of a majority of the Delayed Bills Committee.

SECTION 7. AMENDMENT. Senate Rule 403 is amended as follows:

403. DELAYED BILLS AND RESOLUTIONS. The Delayed Bills Committee shall receive from the Secretary every bill and resolution offered for introduction ~~after the time for introduction as limited by Senate Rule 402,~~ and, on the same or the next legislative day after receiving the measure, shall inform the Senate whether the introduction of the measure has been approved. If a majority of the committee favors introduction, the sponsor may introduce the measure. Each measure approved for introduction must bear the name or names of the sponsor or sponsors and must note the approval of the Delayed Bills Committee.

SECTION 8. AMENDMENT. Senate Rule 504 is amended as follows:**504. COMMITTEE MEETINGS.**

- ~~1. The Appropriations Committee meets on Monday, Tuesday, Wednesday, Thursday, and Friday of each week.~~
- ~~2. The three day committees meet on Monday, Tuesday, and Wednesday of each week.~~
- ~~3. The two day committees meet on Thursday and Friday of each week.~~
4. The chairman of any committee, or a majority of that committee, may call meetings at times and on other days as deemed necessary.

SECTION 9. AMENDMENT. Senate Rule 601 is amended as follows:**601. REPORT OF COMMITTEES.**

1. The report of a committee must provide for one or more of the following recommendations with respect to the bill or resolution: do pass, do not pass, be amended, be rereferred to another committee, or be placed on the calendar without recommendation.
2. During the fifth order of business, the Secretary shall announce that committee reports have been received, if such is the case, and shall list the bill or resolution number, or other identifier, and state the accompanying committee recommendation. If the committee report is divided pursuant to Senate Rule 602, the Secretary shall announce the majority and minority report, or reports, as well.
3.
 - a. If the committee report is for amendment, the proposed amendment must be placed on the calendar ~~for the next legislative day on the sixth order of business. After the fifty fifth legislative day, the proposed amendment must be placed on the calendar~~ on the sixth order of business immediately after the report of the committee is received.
 - b. No action may be taken on an amendment until a verbatim copy of the amendment has been distributed to each member; provided, that on a two-thirds vote of the members-elect, this may be suspended, and the amendment acted on immediately after the report of the committee.
 - c. If the amendment is adopted by a majority vote of the members present, the amended measure must then be placed on the calendar ~~for the next legislative day~~ under the applicable order of business for second reading and final passage except as provided in subdivision e ~~or g~~.
 - d. If the amendment is rejected, the measure without amendment must be placed on the calendar ~~for the next legislative day~~ under the applicable order of business for second reading and final passage except as provided in subdivision e ~~or g~~.
 - e. If the committee report is for amendment and then rereferral to another committee, the measure must be rereferred to the appropriate committee after adoption or rejection of the amendment. If, after adoption or rejection of the amendment, a measure is subject to rereferral under Senate Rule 329, the measure must be rereferred to the Appropriations Committee, regardless of whether the report provides for rereferral.
 - f. If the committee report does not recommend rereferral to another committee but recommends that the measure pass, do not pass, or makes no

recommendation, the measure must be placed on the calendar ~~for the next legislative day~~ under the applicable order of business for second reading and final passage ~~except as provided in subdivision g.~~

- g. ~~On motion~~ Except as provided under subdivision e, a measure must be placed on the calendar for second reading and final passage immediately after action is taken on the amendment. ~~If the committee report recommends that the measure be placed on the calendar for second reading and final passage immediately after action is taken on the amendment, the measure must be placed on the calendar for second reading and final passage immediately after the amendment is adopted. After the thirty second legislative day all Senate bills, and after the fifty fifth legislative day all measures, must be placed on the calendar for second reading and final passage immediately after action is taken on the amendment.~~ A measure placed on the calendar under this subdivision may be acted on immediately after placement on the calendar.
- h. A report for amendment must be approved as to form and style by the Legislative Council staff. When a report for amendment is received by the Secretary without a notation that the report was approved as to form and style by the Legislative Council staff, the Secretary immediately shall cause that report to be delivered to the Legislative Council office with a request that the report be examined and receive a notation approving its form and style.
4. If the committee report is divided as provided in Senate Rule 602, the reports must be placed on the calendar ~~for the next legislative day~~ on the seventh order of business. The President shall receive and announce a motion that the report of the minority be substituted for the majority committee report. If the minority report is adopted, that report is substituted for the majority report and must be placed on the calendar on the eleventh or fourteenth order of business. If the minority report is not adopted, the majority report is deemed adopted and must be placed on the calendar on the eleventh or fourteenth order of business. If a "do not pass" report is adopted under this subsection, the measure must be placed on the calendar on the eleventh or fourteenth order of business. If no report is adopted under this subsection, the measure must be placed on the calendar on the eleventh or fourteenth order of business unless the measure is subject to rereferral under Senate Rule 329.
5. ~~The~~ If practicable, the Secretary shall ensure that the daily calendar contains appropriate notation of committee reports.

SECTION 10. AMENDMENT. Joint Rule 202 is amended as follows:

202. RECEDING BEFORE CONFERENCE. Either house may recede from any subject matter of difference existing between the two houses at any time before a conference whether the papers on which difference has arisen are before the house receding formally or informally, and a majority of the members-elect governs, except in a case where two-thirds of the members-elect is required by the Constitution, and the question having been put and lost, may ~~not~~ be again put the same day, and the consideration thereof in other respects is regulated by the rules of the respective houses.

SECTION 11. AMENDMENT. Joint Rule 207 is amended as follows:

207. CONSIDERATION OF ITEMS ON CONSENT CALENDAR.

1. ~~No item on the consent calendar may be considered for adoption on the same legislative day it is placed on the consent calendar.~~
2. Bills or resolutions on the consent calendar are not debatable, except that the President of the Senate or the Speaker of the House shall allow a reasonable time for questions from the floor and shall permit the proponents of the bills or resolutions to answer the questions.
3. ~~2.~~ The question of the final passage of more than one item contained on the consent calendar may be voted on in a single vote if the vote is on either bills or resolutions and not on any combination thereof in the same vote.
4. ~~3.~~ Immediately before voting on the first consent calendar bills or resolutions, the President of the Senate or the Speaker of the House shall call to the attention of the members the fact that the next vote will be the vote on the bills or resolutions

on the consent calendar. A recorded roll call vote is necessary on items on the consent calendar only if a recorded roll call vote is required under Senate or House Rule 340.

SECTION 12. AMENDMENT. Joint Rule 208 is amended as follows:

208. INTRODUCTION OF EXECUTIVE AGENCY AND SUPREME COURT BILLS.

Each executive agency and the Supreme Court shall file with the Legislative Council those bills they wish to have introduced ~~no later than the close of business on the day after the adjournment of the organizational session. Each.~~ Upon approval by the appropriate Delayed Bills Committee, each bill is deemed introduced by the standing committee of the House or Senate with general jurisdiction over the subject matter of the bill; but if the filing entity receives the approval of a legislator to sponsor the bill, that bill is to be introduced by the legislator rather than by the standing committee. A bill sponsored by a legislator may not have more sponsors than the number allowed under Senate and House Rules 401. The director of the budget shall file with the Legislative Council those bills making appropriations to implement the budget recommended by the Governor no later than the close of business on the day after the adjournment of the organizational session and those bills are deemed introduced by the Appropriations Committee of the Senate or House at the request of the Governor. The bill implementing the budget request of the judicial branch is deemed introduced by the Appropriations Committee of the Senate or House at the request of the Supreme Court, and the bill implementing the budget request of the legislative branch is deemed introduced by the Appropriations Committee of the Senate or House at the request of the Legislative Council. The Legislative Council shall number and deliver bills filed under this rule to the appropriate house for recording. Each bill introduced under this rule must be identified by noting the name of the agency or the court under the name of the sponsoring committee or legislator. The identification of a bill introduced by a standing committee may include the names of not more than five entities authorized to file bills under this rule.

SECTION 13. Joint Rule 303 is created as follows:

303. JOINT LEGISLATIVE REDISTRICTING COMMITTEE.

A joint legislative redistricting committee must be appointed during any legislative session during which the issue of legislative redistricting is addressed. The committee consists of fifteen members, eight from the House and seven from the Senate, appointed in the same manner as the members of other standing committees are appointed. The first-named member from each house is cochairman of the committee. The presiding officer shall refer to the Joint Legislative Redistricting Committee all bills and resolutions relating to redistricting or reapportionment of legislative districts. The committee shall first meet at the call of the Senate cochairman and the chairmanship of each meeting thereafter alternates between the cochairmen. Members of the committee are excused from attending a meeting of any other committee while they are attending a meeting of the Joint Legislative Redistricting Committee. The committee shall issue joint reports on measures referred to it, with a report first being presented to the house having possession of the measure, and later presented to the other house if appropriate.

SECTION 14. Joint Rule 304 is created as follows:

304. JOINT TECHNICAL CORRECTIONS COMMITTEE.

A joint technical corrections committee must be appointed during a special session. The committee consists of sixteen members, eight from the House and eight from the Senate, appointed in the same manner as the members of other standing committees are appointed. The first-named member from each house is cochairman of the committee. The presiding officer shall refer bills and resolutions relating to statutory or constitutional revision to the committee. The committee shall first meet at the call of the Senate cochairman and the chairmanship of each meeting thereafter alternates between the cochairmen. Members of the committee are excused from attending a meeting of any other committee while they are attending a meeting of the Joint Technical Corrections Committee. The committee shall issue joint reports on the measures referred to it, with the report being first presented to the house having possession of the measure, and later presented to the other house if appropriate.

SECTION 15. AMENDMENT. Subsection 4 of Joint Rule 501 is amended as follows:

4. a. The agency or department preparing the fiscal note shall return the fiscal note along with the number of copies requested by the Legislative Council to the Legislative Council not later than ~~five days~~ one day from the date of the request.
- b. The Legislative Council shall retain three copies, shall provide one copy to the Office of Management and Budget, shall provide one copy to the Governor, and shall deliver the remaining copies to the Secretary of the Senate or the

Chief Clerk of the House. Of those copies, one copy must be attached to the original bill or resolution, one copy must be filed with the Bill Clerk of the house wherein the bill or resolution originated, one copy must be provided to the President of the Senate, one copy must be provided to the Speaker of the House, and the remaining copies must be distributed as directed by the Secretary of the Senate or the Chief Clerk of the House, as appropriate.

SEN. HOLMBERG MOVED that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural **Committee on Committees (Sen. Stenehjem, Chairman)** submits the following names for your select committees to consider the Governor's nominations to the following offices:

Commissioner to the North Dakota Department of Financial Institutions: Senators Schobinger, Andrist, Espegard, D. Mathern, and Every.

Commissioner to the North Dakota Office of Securities: Senators Krebsbach, Klein, Fischer, Tallackson, and Robinson.

North Dakota State Board of Higher Education: Senators Grindberg, Solberg, Flakoll, Heitkamp, and Kelsh.

North Dakota Gaming Commission: Senators Watne, Erbele, Lyson, C. Nelson, and Bercier.

SEN. STENEHJEM MOVED that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural **Committee on Committees (Sen. Stenehjem, Chairman)** submits the following names for your **Joint Legislative Redistricting Committee:** Senators Holmberg, Bowman, Christmann, Freborg, Kringstad, T. Mathern, and Tomac.

SEN. STENEHJEM MOVED that the report be adopted, which motion prevailed.

FIRST READING OF SENATE BILL

Legislative Council introduced:

SB 2456: A BILL for an Act to provide for redistricting of the legislative assembly and to authorize the secretary of state to modify election deadlines and procedures; to create and enact a new section to chapter 54-03 of the North Dakota Century Code, relating to legislative redistricting; to amend and reenact sections 54-03-01.5, 54-03-01.8, and 54-03-01.10 of the North Dakota Century Code, relating to legislative redistricting and terms of senators and representatives; to repeal section 54-03-01.9 of the North Dakota Century Code, relating to legislative redistricting; to provide a statement of legislative intent; and to provide an effective date.

Was read the first time and referred to the **Joint Legislative Redistricting Committee.**

MOTION

SEN. CHRISTMANN MOVED that the Senate stand in recess until 2:30 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Pro Tem Bowman presiding.

THE SENATE RECOGNIZED THE PRESENCE OF:

Former Senators Byron Langley and Walter Meyer.

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural **Committee on Committees (Sen. Stenehjem, Chairman)** named Sen. Dever to replace Sen. Stenehjem as a member of the **Employment Committee.**

SEN. STENEHJEM MOVED that the report be adopted, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2456: Joint Legislative Redistricting Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **BE REREFERRED** to the **Joint Legislative Redistricting Committee** (10 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). SB 2456 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for redistricting of the legislative assembly and to authorize the secretary of state to modify election deadlines and procedures; to create and enact a new section to chapter 54-03 of the North Dakota Century Code, relating to legislative redistricting; to amend and reenact sections 54-03-01.5, 54-03-01.8, and 54-03-01.10 of the North Dakota Century Code, relating to legislative redistricting and terms of senators and representatives; to repeal section 54-03-01.9 of the North Dakota Century Code, relating to legislative redistricting; to provide a statement of legislative intent; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 54-03-01.5 of the 2001 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-03-01.5. Legislative apportionment redistricting requirements. A legislative ~~apportionment~~ redistricting plan based on any census taken after ~~4989~~ 1999 must meet the following requirements:

1. The senate must consist of ~~forty-nine~~ forty-seven members and the house must consist of ~~ninety-eight~~ ninety-four members.
2. Except as provided in subsection 3, one senator and two representatives must be apportioned to each senatorial district. Representatives may be elected at large or from subdistricts.
3. Multimember senate districts providing for two senators and four representatives are authorized only when a proposed single member senatorial district includes a federal facility or federal installation, containing over two-thirds of the population of the proposed single member senatorial district.
4. Legislative districts and subdistricts must be compact and of contiguous territory.
5. Legislative districts must be as nearly equal in population as is practicable. Population deviation from district to district must be kept at a minimum. The total population variance of all districts, and subdistricts if created, from the average district population may not exceed recognized constitutional limitations.

SECTION 2. AMENDMENT. Section 54-03-01.8 of the 2001 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-03-01.8. Staggering of the terms of senators. A senator from an ~~even-numbered~~ odd-numbered district must be elected in ~~4992~~ 2002 for a term of four years and a senator from an ~~odd-numbered~~ even-numbered district must be elected in ~~4994~~ 2004 for a term of four years. ~~The senator from district forty-one must be elected in 1992 for a term of two years. A senator from a an even-numbered district in which there is another incumbent senator as a result of legislative redistricting must be elected in 1992 2002 for a term of four two years. Based on that requirement, districts six, ten, fourteen, twenty eight, and thirty six must elect senators in 1992.; based on this requirement, district twenty must elect a senator in 2002. A senator from an odd-numbered district in which there is another incumbent senator must be elected in 2002 for a term of four years; based on this requirement, districts twenty-seven and thirty-one must elect senators in 2002. The term of a senator from an even-numbered district who is placed in an odd-numbered district as a result of legislative redistricting expires as of December 1, 2002; based on this requirement, the term of the senator elected in district twelve in 2000 expires as of December 1, 2002, and district twenty-three must elect a senator in 2002. The senator from district twelve must be elected in 2002 for a term of two years.~~

SECTION 3. AMENDMENT. Section 54-03-01.10 of the 2001 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-03-01.10. Staggering of terms of representatives. The term of office of a representative is four years, ~~except a.~~ A representative from an ~~even-numbered~~ odd-numbered district must be elected in ~~4998~~ 2002 for a term of ~~two~~ four years and a

representative from an even-numbered district must be elected in 2004 for a term of four years. A representative from an even-numbered district in which there are more than two incumbent representatives as a result of legislative redistricting must be elected in 2002 for a term of two years; based on this requirement, districts twenty and twenty-eight must elect two representatives in 2002. A representative from an odd-numbered district in which there are more than two incumbent representatives as a result of legislative redistricting must be elected in 2002 for a term of four years; based on this requirement, districts twenty-three, thirty-one, and thirty-three must elect representatives in 2002. An even-numbered district in which there is only one incumbent representative elected from that district in 2000 must elect one representative in 2002 for a term of two years; based on this requirement, district twenty-four must elect a representative in 2002. The representatives from district twelve must be elected in 2002 for a term of two years.

SECTION 4. A new section to chapter 54-03 of the North Dakota Century Code is created and enacted as follows:

Legislative redistricting. Each legislative district is entitled to one senator and two representatives. The legislative districts of the state are formed as follows:

1. District 1 consists of that part of the city of Williston and that part of Williston Township in Williams County bound by a line commencing at the point where the centerline of thirty-second avenue intersects the centerline of United States highway 2, thence south on thirty-second avenue to the shoreline of Lake Sakakawea, thence east on the shoreline of Lake Sakakawea until its intersection with the west boundary of Stony Creek Township, thence north on a straight line until its intersection with the centerline of Broadway, thence east on Broadway until its intersection with the city limit as the city limit turns north, thence north and west on the city limit until its intersection with the west boundary of Stony Creek Township, thence north on the west boundary of Stony Creek Township until its intersection with the southeast corner of Missouri Ridge Township, thence west on the south boundary of Missouri Ridge Township until its intersection with the centerline of United States highway 2, thence south on United States highway 2 until its intersection with the centerline of forty-second street, thence west on forty-second street and continuing west on fifty-third street until its intersection with the centerline of one hundred thirty-eighth avenue, thence south on one hundred thirty-eighth avenue to the point of beginning.
2. District 2 consists of all of Burke County and Divide County; all of Williams County except that portion contained in District 1; and Bicker, Powers Lake, Powers, Lostwood, White Earth, Sorkness, Cottonwood, James Hill, Myrtle, Manitou, Ross, and Idaho townships in Mountrail County.
3. District 3 consists of Sundre and Surrey townships in Ward County; and that part of the city of Minot and that part of Nedrose Township in Ward County bound by a line commencing at the intersection of the centerline of nineteenth avenue and the centerline of north Broadway, thence south on Broadway until its intersection with the centerline of Burdick expressway, thence east on Burdick expressway until its intersection with the centerline of third street, thence south on third street until its intersection with the centerline of eleventh avenue southeast, thence east on eleventh avenue southeast until its intersection with the centerline of Hiawatha street, thence south on Hiawatha street until its intersection with the centerline of sixteenth avenue southeast, thence east on sixteenth avenue southeast until its intersection with the centerline of thirteenth street southeast, thence south on thirteenth street southeast until its intersection with the south boundary of Nedrose Township, thence east on the south boundary of Nedrose Township until its intersection with the southeast corner of Nedrose Township, thence north on the east boundary of Nedrose Township until its intersection with the northeast corner of Nedrose Township, thence west on the north boundary of Nedrose Township until its intersection with the centerline of twenty-seventh street, thence south on twenty-seventh street until its intersection with the extended centerline of nineteenth avenue, thence west on the extended centerline of nineteenth avenue until its intersection with the centerline of third street, thence north and west on third street until its intersection with the centerline of airport road, thence north on airport road until its intersection with the centerline of

nineteenth avenue, thence west on nineteenth avenue to the point of beginning.

4. District 4 consists of all of Mountrail County except that portion contained in District 2; Burt, Rolling Green, Lund, Linton, Vang, Torning, Freedom, Willis, New Prairie, Sawyer, Orlin, Anna, Rice Lake, Hilton, Gasman, Newman, Brilliant, Hiddenwood, Ryder, Cameron, Spring Lake, Rushville, Iota Flat, and Greely townships in Ward County; those portions of McKenzie County and Mercer County within the Fort Berthold reservation; that part of Dunn County within the Fort Berthold reservation; and Halliday unorganized township in Dunn County including the cities of Dodge, Dunn Center, and Halliday; and all of McLean County except that portion contained in District 8.
5. District 5 consists of that part of the city of Minot and Harrison Township in Ward County bound by a line commencing at the intersection of the centerline of the burlington northern railway right of way and the centerline of north Broadway, thence south on Broadway until its intersection with the centerline of Burdick Expressway, thence east on Burdick Expressway until its intersection with the centerline of Third Street, thence south on Third Street until its intersection with the centerline of Eleventh Avenue Southeast, thence east on Eleventh Avenue Southeast until its intersection with the centerline of Hiawatha Street, thence south on Hiawatha Street until its intersection with the centerline of Sixteenth Avenue Southeast, thence east on Sixteenth Avenue Southeast until its intersection with the centerline of Thirteenth Street, thence south on Thirteenth Street until its intersection with the centerline of United States Highway 52, thence west on United States Highway 52 until its intersection with the centerline of United States Highway 83, thence south on United States Highway 83 until its intersection with the north boundary of Afton Township, thence west on the north boundary of Afton Township until its intersection with the centerline of Thirtieth Street, thence north on Thirtieth Street until its intersection with the centerline of Twentieth Avenue, thence west on Twentieth Avenue until its intersection with the centerline of Thirty-Third Street, thence north on Thirty-Third Street until its intersection with the centerline of United States Highway 2, thence east on United States Highway 2 until its intersection with the centerline of United States Highway 83 Bypass, thence north on the United States Highway 83 Bypass until its intersection with the centerline of Central Avenue, thence east on Central Avenue until its intersection with the centerline of Sixteenth Street, thence south on Sixteenth Street until its intersection with the centerline of the Canadian Pacific Railway right of way, thence east on the Canadian Pacific Railway right of way until its intersection with the centerline of the Burlington Northern Santa Fe Railway right of way, thence north and east on the Burlington Northern Santa Fe Railway right of way to the point of beginning.
6. District 6 consists of all of Bottineau County and Renville County; and Denmark, Elmdale, Kenmare, Spencer, Baden, Sauk Prairie, Greenbush, Carbondale, Ree, Carpio, Passport, Berthold, Mayland, Saint Marys, Foxholm, Margaret, McKinley, Maryland, Des Lacs, Mandan, Evergreen, Tolgen, and Shealy townships in Ward County.
7. District 7 consists of all of McHenry County, Pierce County, and Sheridan County; and Pleasant Lake, Knox, York, Leeds, Irvine, Iowa, Twin Lake, Beaver, Lake Ibsen, Normania, Impark, Broe, Butte Valley, McClellan, Riffin, Albert, and Eldon townships in Benson County.
8. District 8 consists of Andrews, Otis, Butte, Dogden, Greatstone, Horseshoe Valley, Aurena, Byersville, Snow, Malcolm, Medicine Hill, Wise, Lake Williams, Turtle Lake, Victoria, Longfellow, and Mercer townships in McLean County; south McLean unorganized township in McLean County including the city of Washburn; all of the city of Wilton in McLean County and Burleigh County; Underwood unorganized township including the cities of Riverdale and Underwood in McLean County; east McLean unorganized township in McLean County; Painted Woods, Glenview, Naughton, and Gibbs townships in Burleigh County; and that part of Burnt Creek-Riverview unorganized township, Hay Creek Township, and Apple Creek Township in Burleigh County and the city of Bismarck bound by a line commencing at the intersection of the centerline of United States Highway 83 and the north boundary of Burnt Creek-Riverview unorganized township, thence south on

United States highway 83 until its intersection with the centerline of interstate highway 94, thence east on interstate highway 94 until its intersection with the centerline of Bismarck expressway, thence south on Bismarck expressway until its intersection with the centerline of main avenue, thence east on main avenue until its intersection with the centerline of fifty-second street, thence south on fifty-second street until its intersection with the centerline of apple creek road, thence east on apple creek road until its intersection with the east boundary of Apple Creek Township, thence north on the east boundary of Apple Creek Township, the east boundary of Gibbs Township, and the east boundary of Naughton Township to the northeast corner of Naughton Township, thence west on the north boundary of Naughton Township and Burnt Creek-Riverview unorganized township to the point of beginning.

9. District 9 consists of Rolette County.
10. District 10 consists of Cavalier County; all of Towner County except that portion contained in District 15; and all of Pembina County except that portion contained in District 16.
11. District 11 consists of that part of the city of Fargo in Cass County bound by a line commencing at the intersection of an extended line from the centerline of eleventh avenue south and the centerline of the Red River, thence west on eleventh avenue south until its intersection with the centerline of United States highway 81, thence north on United States highway 81 until its intersection with the centerline of ninth avenue south, thence west on ninth avenue south until its intersection with the centerline of Cass County drain number three, thence north along Cass County drain number three until its intersection with the centerline of sixth avenue south, thence west on sixth avenue south until its intersection with the centerline of twenty-fifth street, thence north on twenty-fifth street until its intersection with the centerline of fifth avenue south, thence west on fifth avenue south and an extended straight line until its intersection with the centerline of interstate highway 29, thence south on interstate highway 29 until its intersection with the centerline of thirteenth avenue south, thence east on thirteenth avenue south until its intersection with the centerline of thirty-fourth street, thence south on thirty-fourth street until its intersection with the centerline of fifteenth avenue south, thence east on fifteenth avenue south until its intersection with the centerline of thirty-second street, thence south on thirty-second street until its intersection with the centerline of seventeenth avenue south, thence east on seventeenth avenue south until its intersection with the centerline of twenty-fifth street, thence south on twenty-fifth street until its intersection with the centerline of interstate highway 94, thence east on interstate highway 94 until its intersection with the centerline of the Red River, thence north on the Red River to the point of beginning.
12. District 12 consists of all of the city of Frontier and the city of Briarwood in Cass County; and that part of Barnes and Stanley townships and that part of the city of Fargo and the city of West Fargo in Cass County bound by a line commencing at the intersection of an extended straight line of the centerline of fifty-second avenue south and the centerline of the Red River, thence west on fifty-second avenue south until its intersection with the centerline of United States highway 81, thence south on United States highway 81 until its intersection with the centerline of sixty-fourth avenue south, thence west on sixty-fourth avenue south until its intersection with the centerline of Cass County drain number fifty-three, thence north on Cass County drain number fifty-three until its intersection with the centerline of fifty-second avenue south, thence west on fifty-second avenue south until its intersection with the centerline of interstate highway 29, thence north on interstate highway 29 until its intersection with the centerline of an extended straight line from seventeenth avenue south, thence east on that line and seventeenth avenue south until its intersection with the centerline of thirty-fifth street, thence north on thirty-fifth street until its intersection with the centerline of fifteenth avenue south, thence east on fifteenth avenue south until its intersection with the centerline of thirty-fourth street, thence north on thirty-fourth street until its intersection with the centerline of thirteenth avenue south, thence west on thirteenth avenue south until its intersection with the centerline of interstate highway 29, thence north on interstate highway 29 until its intersection with

the centerline of main avenue, thence west on main avenue until its intersection with the centerline of seventeenth street in West Fargo, thence south on seventeenth street and an extended straight line in West Fargo and Fargo until its intersection with the centerline of interstate highway 94, thence west on interstate highway 94 until its intersection with the extended centerline of fifty-seventh street, thence south on fifty-seventh street until its intersection with the centerline of one hundredth avenue, thence east on one hundredth avenue and an extended straight line until its intersection with the centerline of the Red River, thence north on the Red River to the point of beginning.

13. District 13 consists of that part of Barnes and Mapleton townships and the city of West Fargo in Cass County bound by a line commencing at the intersection of the centerline of main avenue and the centerline of seventeenth street, thence west on main avenue until its intersection with the centerline of center street, also known as state highway 294, thence north on center street until its intersection with the centerline of twelfth avenue north, thence west on twelfth avenue north and thirty-sixth avenue until its intersection with the centerline of thirty-eighth street, thence south on thirty-eighth street until its intersection with the centerline of thirty-eighth avenue, thence east and south on thirty-eighth avenue following township roads until its intersection with the east boundary of Mapleton Township, thence south on a straight line following the east boundary of Mapleton Township until its intersection with the southwest corner of Barnes Township, thence east on the south boundary of Barnes Township until its intersection with fifty-seventh street, thence north on fifty-seventh street and an extended straight line until its intersection with the centerline of interstate highway 94, thence east on interstate highway 94 until its intersection with the eastern boundary of the West Fargo city limit, thence north following the city limit and seventeenth street to the point of beginning.
14. District 14 consists of all of Wells County and Kidder County; Esmond, Isabel, Rich Valley, Hesper, East Fork, and Arne townships in Benson County; and all of Burleigh County except those portions contained in Districts 8, 30, 32, 35, and 47.
15. District 15 consists of all of Ramsey County; and Atkins, Bethel, Cando, Coolin, Maza, Olson, Springfield, and Zion townships in Towner County.
16. District 16 consists of Walsh County; and Drayton, Lincoln, and Midland townships in Pembina County.
17. District 17 consists of all of Brenna Township in Grand Forks County; and that part of Grand Forks Township and that part of the city of Grand Forks in Grand Forks County bound by a line commencing at the intersection of an extended straight line of the centerline of lanark avenue and the centerline of the Red River, thence southwest on lanark avenue until its intersection with the centerline of lincoln drive, thence west on lincoln drive and eighth avenue south until the intersection of the centerline of eighth avenue south and the centerline of belmont road, thence south on belmont road until its intersection with the centerline of tenth avenue south, thence west on tenth avenue south until its intersection with the centerline of washington street, thence south on washington street until its intersection with the centerline of thirty-second avenue south, thence west on thirty-second avenue south until its intersection with the centerline of forty-second street, thence north on forty-second street until its intersection with the centerline of the burlington northern santa fe railway right of way, thence west on the burlington northern santa fe railway right of way until its intersection with the centerline of fifty-fifth street, thence north on fifty-fifth street until its intersection with the centerline of gateway drive, thence west on gateway drive and United States highway 2 until its intersection with the northwest corner of Brenna Township, thence south on the west boundary of Brenna Township to the southwest corner of Brenna Township, thence east on the south boundary of Brenna Township and the south boundary of Grand Forks Township to the centerline of the Red River, thence north on the Red River to the point of beginning.
18. District 18 consists of Blooming, Falconer, and Rye townships in Grand Forks County; and that portion of the city of Grand Forks and Mekinock

Township in Grand Forks County bound by a line commencing at the intersection of an extended straight line of the centerline of lanark avenue and the centerline of the Red River, thence southwest on lanark avenue until its intersection with the centerline of lincoln drive, thence west on lincoln drive and eighth avenue south until the intersection of the centerline of eighth avenue south and the centerline of belmont road, thence south on belmont road until its intersection with the centerline of tenth avenue south, thence west on tenth avenue south until its intersection with the centerline of washington street, thence south on washington street until its intersection with the centerline of library circle, thence west and northwest on library circle until its intersection with the centerline of twentieth avenue south, thence west on twentieth avenue south until its intersection with the centerline of twentieth street, thence north on twentieth street and an extended straight line until its intersection with the centerline of the burlington northern santa fe railway right of way, thence east on the burlington northern santa fe railway right of way until its intersection with the centerline of washington street, thence north on washington street until its intersection with the centerline of sixth avenue north, thence west on sixth avenue north until its intersection with the centerline of twentieth street, thence north on twentieth street until its intersection with the centerline of gateway drive, thence west on gateway drive and United States highway 2 until its intersection with the south entrance of the Grand Forks air force base, known as eielson street, thence north on eielson street until its intersection with the centerline of seventh avenue, thence east on seventh avenue until the extended centerline of seventh avenue intersects with the centerline of j street, thence south on j street until its intersection with the centerline of juniper avenue, thence east on juniper avenue until its extended centerline intersects the west boundary of Blooming Township, thence north on the west boundary of Blooming Township to the northwest corner of Blooming Township, thence east on the north boundary of Blooming Township, Rye Township, and Falconer Township to the centerline of the Red River, thence south on the Red River to the point of beginning.

19. District 19 consists of all of Grand Forks County except those portions contained in Districts 17, 18, 20, 42, and 43.
20. District 20 consists of all of Steele County and Traill County; all of the city of Reynolds in Grand Forks County and Traill County; and Pierce, Lake Town, Dazey, Sibley Trail, Baldwin, Ellsbury, Uxbridge, Edna, Rogers, Ashtabula, Grand Prairie, Minnie Lake, Brimer, Anderson, Stewart, Getchell, Noltimier, Weimer, Alta, Oriska, Eckelson, Hobart, and Potter townships in Barnes County.
21. District 21 consists of that part of the city of Fargo and that part of the city of West Fargo in Cass County bound by a line commencing at the intersection of an extended line from the centerline of eleventh avenue south and the centerline of the Red River, thence west on eleventh avenue south until its intersection with the centerline of United States highway 81, thence north on United States highway 81 until its intersection with the centerline of ninth avenue south, thence west on ninth avenue south until its intersection with the centerline of Cass County drain number three, thence north on Cass County drain number three until its intersection with the centerline of sixth avenue south, thence west on sixth avenue south until its intersection with the centerline of twenty-fifth street, thence north on twenty-fifth street until its intersection with the centerline of fifth avenue south, thence west on fifth avenue south and an extended straight line until its intersection with the centerline of interstate highway 29, thence north on interstate highway 29 until its intersection with the centerline of main avenue, thence west on main avenue until its intersection with center street, also known as state highway 294, thence north on state highway 294 until its intersection with the centerline of twelfth avenue north, thence east on twelfth avenue north until its intersection with the centerline of United States highway 81, thence south on United States highway 81 until its intersection with the centerline of the burlington northern santa fe railway right of way, thence east on the burlington northern santa fe railway right of way until its intersection with the centerline of the Red River, thence south on the Red River to the point of beginning.

22. District 22 consists of all of Cass County except those portions contained in Districts 11, 12, 13, 21, 41, 44, 45, and 46.
23. District 23 consists of all of Eddy County, Griggs County, and Nelson County; and all of Benson County except those portions contained in Districts 7 and 14.
24. District 24 consists of all of Barnes County except that portion contained in District 20; that part of the city of Enderlin in Ransom County; and Fort Ransom, Moore, Northland, Preston, Liberty, Springer, Tuller, Casey, Hanson, Elliott, Island Park, Big Bend, Isley, Alleghany, and Bale townships in Ransom County.
25. District 25 consists of Walcott, Eagle, Colfax, Abercrombie, Ibsen, Dwight, Mooreton, Center, Brandenburg, Summit, Waldo, De Villo, Fairmount, Greendale, and LaMars townships in Richland County and the city of Hankinson in Richland County.
26. District 26 consists of that part of the city of Jamestown and Bloom and Woodbury townships in Stutsman County bound by a line commencing at the intersection of the centerline of United States highway 281 and thirty-seventh street, thence north on United States highway 281 until its intersection with the centerline of the James River, thence west and north on the James River until its intersection with the centerline of the burlington northern santa fe railway right of way, thence west on the burlington northern santa fe railway right of way until its intersection with the Jamestown city limit and the centerline of eighty-second avenue, thence north, east, and south following the city limit until the city limit intersects the centerline of twenty-seventh avenue, thence south on twenty-seventh avenue until its intersection with the centerline of fifth street, thence east on fifth street and following the city limit east and south until its intersection with the centerline of fourth street, thence west on fourth street until its intersection with the centerline of twenty-seventh avenue, thence south on twenty-seventh avenue and an extended straight line and eighty-fifth avenue, also identified as Stutsman county 39, until its intersection with the centerline of thirty-seventh street, thence west on thirty-seventh street to the point of beginning.
27. District 27 consists of all of Sargent County; that part of Richland County not contained in District 25; that part of Ransom County not contained in District 24; and Porter, Wright, James River Valley, Divide, Maple, Yorktown, Clement, Bear Creek, Kentner, Kent, Hudson, Riverdale, Ellendale, Van Meter, Ada, Port Emma, and Lovell townships in Dickey County.
28. District 28 consists of all of Emmons County, Logan County, and McIntosh County; Swede, Ray, Nora, Wano, Henrietta, Grand Rapids, Pearl Lake, Greenville, Norden, Pomona View, Golden Glen, Willowbank, Dean, Ryan, Ovid, and Badger townships in LaMoure County; and all of Dickey County except that portion contained in District 27.
29. District 29 consists of all of Foster County; all of LaMoure County except that portion contained in District 28; and all of Stutsman County except that portion contained in District 26.
30. District 30 consists of that portion of the city of Bismarck, the city of Lincoln, and Lincoln-Fort Rice unorganized township in Burleigh County bound by a line commencing at the centerline of main avenue and the centerline of ninth street, thence east on main avenue until its intersection with the centerline of twelfth street, thence south on twelfth street until its intersection with the centerline of front avenue, thence east on front avenue until its intersection with the centerline of sixteenth street, thence south on sixteenth street until its intersection with the centerline of bowen avenue, thence east on bowen avenue until its intersection with the centerline of seventeenth street, thence south on seventeenth street until its intersection with the centerline of michigan avenue, thence east on michigan avenue until its intersection with the centerline of seventeenth street, thence south on seventeenth street and an extended straight line until its intersection with the centerline of Bismarck expressway, thence east on Bismarck expressway until its intersection with the centerline of airport road, thence

south on airport road until its intersection with the centerline of university drive, thence west on university drive until its intersection with the centerline of south twelfth street, thence south on south twelfth street until its intersection with the centerline of burleigh avenue, thence west on burleigh avenue until its intersection with the centerline of washington street, thence north on washington street until its intersection with the southeast corner of the northeast quarter of section 8 of Township 138-80, thence west on a straight line following the quarter section line to the southwest corner of the northeast quarter of section 8 of Township 138-80, thence north on a straight line following the quarter section line until its intersection with the centerline of Bismarck expressway, thence west on Bismarck expressway until its intersection with the centerline of the Missouri River, thence south on the Missouri River until its intersection with the centerline of an extended line from fifty-second street, thence north on fifty-second street and an extended straight line until its intersection with the centerline of main avenue, also known as old highway 10, thence west on main avenue until its intersection with the centerline of Bismarck expressway, thence north on Bismarck expressway until its intersection with the centerline of divide avenue, thence west, south, and west on divide avenue until its intersection with the centerline of twenty-sixth street, thence south on twenty-sixth street until its intersection with the centerline of boulevard avenue, thence west on boulevard avenue until its intersection with the centerline of twelfth street, thence south on twelfth street until its intersection with the centerline of east avenue e, thence west on east avenue e until its intersection with the centerline of ninth street, thence south on ninth street to the point of beginning.

31. District 31 consists of all of Grant County and Sioux County; all of Hettinger County except that portion contained in District 36; and that part of the city of Mandan and Morton County bound by a line commencing at the intersection of the centerline of county road 84 and the centerline of interstate highway 94, thence east on interstate highway 94 until its intersection with the centerline of an extended straight line from twenty-fifth avenue in Mandan unorganized township, thence north on twenty-fifth avenue until its intersection with the centerline of thirty-seventh street, thence east on thirty-seventh street until its intersection with the centerline of highland road, thence south on highland road until its intersection with the Mandan city limit, thence south and east on the city limit until its intersection with the centerline of the Missouri River, thence south on the Missouri River until its intersection with the centerline of business interstate highway 94, thence north and west on business interstate highway 94 until its intersection with the centerline of main avenue, thence east on main avenue until its intersection with the centerline of the burlington northern santa fe railway right of way, thence north on the burlington northern santa fe railway right of way until its intersection with the extended centerline of fourth street, thence west on the extended centerline of fourth street until its intersection with the centerline of Mandan avenue, thence north and west on Mandan avenue until its intersection with the centerline of interstate highway 94, thence west on interstate highway 94 until its intersection with the Mandan city limit, thence following the city limit south, east, and north until the city limit intersects the centerline of Fort McKeen road, thence south on Fort McKeen road and state highway 1806 until its intersection with the centerline of county road 138A, thence east on county road 138A and an extended line until its intersection with the centerline of the Missouri River, thence south on the Missouri River to the south boundary of Morton County, thence following the Morton County line west, south, and north until its intersection with the centerline of county road 84, thence north on county road 84 to the point of beginning.
32. District 32 consists of that part of the city of Bismarck and Lincoln-Fort Rice unorganized township in Burleigh County bound by a line commencing at the centerline of main avenue and the centerline of ninth street, thence east on main avenue until its intersection with the centerline of twelfth street, thence south on twelfth street until its intersection with the centerline of front avenue, thence east on front avenue until its intersection with the centerline of sixteenth street, thence south on sixteenth street until its intersection with the centerline of bowen avenue, thence east on bowen avenue until its intersection with the centerline of seventeenth street, thence south on seventeenth street until its intersection with the centerline of michigan avenue, thence east on michigan avenue until its intersection

with the centerline of seventeenth street, thence south on seventeenth street and an extended straight line until its intersection with the centerline of Bismarck expressway, thence east on Bismarck expressway until its intersection with the centerline of airport road, thence south on airport road until its intersection with the centerline of university drive, thence west on university drive until its intersection with the centerline of south twelfth street, thence south on south twelfth street until its intersection with the centerline of burleigh avenue, thence west on burleigh avenue until its intersection with the centerline of washington street, thence north on washington street until its intersection with the southeast corner of the northeast quarter of section 8 of Township 138-80, thence west on a straight line following the quarter section line to the southwest corner of the northeast quarter of section 8 of Township 138-80, thence north on a straight line following the quarter section line until its intersection with the centerline of Bismarck expressway, thence west on Bismarck expressway until its intersection with the centerline of the Missouri River, thence north on the Missouri River until its intersection with the centerline of main avenue, thence east on main avenue until its intersection with the centerline of rosser avenue, thence east on rosser avenue until its intersection with the centerline of bell street, thence north on bell street until its intersection with the centerline of avenue c, thence east on avenue c until its intersection with the centerline of griffin street, thence north on griffin street and an extended straight line until its intersection with the Bismarck park district bike trail, thence east on the Bismarck park district bike trail and an extended straight line until its intersection with the centerline of washington street, thence south on washington street until its intersection with the centerline of west avenue c, thence east on west avenue c until its intersection with the centerline of first street, thence south on first street until its intersection with the centerline of main avenue, thence east on main avenue to the point of beginning.

33. District 33 consists of all of Oliver County; all of Mercer County except that portion contained in District 4; and all of Morton County except that portion contained in Districts 31, 34, and 36.
34. District 34 consists of that portion of the city of Mandan and that part of Mandan unorganized township bound by a line commencing at the intersection of the centerline of business interstate highway 94 and the centerline of the Heart River on the western city limit of Mandan, thence south, east, and north following the Mandan city limit until the city limit intersects the centerline of Fort McKeen road, thence south and east on Fort McKeen road and state highway 1806 until its intersection with the centerline of county highway 138A, thence east on county road 138A and an extended straight line until its intersection with the centerline of the Missouri River, thence north on the Missouri River until its intersection with the centerline of business interstate highway 94, thence north and west on business interstate highway 94 until its intersection with the centerline of main avenue, thence east on main avenue until its intersection with the centerline of the burlington northern santa fe railway right of way, thence north on the burlington northern santa fe railway right of way until its intersection with the centerline of fourth street, thence west on the extended centerline of fourth street until its intersection with the centerline of Mandan avenue, thence north and west on Mandan avenue until its intersection with the centerline of interstate highway 94, thence west on interstate highway 94 until its intersection with the Mandan city limit, thence south and east following the Mandan city limit to the point of beginning.
35. District 35 consists of that part of the city of Bismarck and that part of Hay Creek Township in Burleigh County bound by a line commencing at the intersection of the centerline of main avenue and the centerline of ninth street, thence west on main avenue until its intersection with the centerline of first street, thence north on first street until its intersection with the centerline of avenue c, thence west on avenue c until its intersection with the centerline of washington street, thence north on washington street until its intersection with the extended centerline of the Bismarck park district bike trail, thence west on the Bismarck park district bike trail until its intersection with the extended centerline of griffin street, thence south on griffin street until its intersection with the centerline of avenue c, thence west on avenue c until its intersection with the centerline of bell street, thence south on bell street until its intersection with the centerline of rosser

avenue, thence west on Rosser Avenue until its intersection with the centerline of Main Avenue, thence west on Main Avenue until its intersection with the centerline of the Missouri River, thence north on the Missouri River until its intersection with the centerline of Interstate Highway 94, thence east on Interstate Highway 94 until its intersection with the centerline of Divide Avenue, thence south and east on Divide Avenue until its intersection with the centerline of Fourth Street, thence north on Fourth Street until its intersection with the centerline of Interstate Highway 94, thence east on Interstate Highway 94 until its intersection with the centerline of Bismarck Expressway, thence south on Bismarck Expressway until its intersection with the centerline of Divide Avenue, thence west, south, and west on Divide Avenue until its intersection with the centerline of Twenty-sixth Street, thence south on Twenty-sixth Street until its intersection with the centerline of Boulevard Avenue, thence west on Boulevard Avenue until its intersection with the centerline of Twelfth Street, thence south on Twelfth Street until its intersection with the centerline of East Avenue E, thence west on East Avenue E until its intersection with the centerline of Ninth Street, thence south on Ninth Street to the point of beginning.

36. District 36 consists of all of Stark County except that portion contained in District 37; all of Dunn County except that portion contained in District 4; Kunze, Clark, New England, Havelock, Strehlow, Tepee Butte, Kennedy, and Wagendorf townships in Hettinger County; and that portion of Morton County bound by a line commencing at the intersection of the centerline of state highway 49 and the north boundary of Morton County, thence west on the Morton County line to the west boundary of Morton County, thence south on the west boundary of Morton County to the south boundary of Morton County, thence east on the south boundary of Morton County and continuing east on the centerline of forty-eighth street until its intersection with the centerline of county road 87, thence north and west on county road 87 until its intersection with the centerline of county road 139, thence north and east on county road 139 until its intersection with the centerline of sixtieth avenue, thence north on sixtieth avenue until its intersection with the centerline of interstate highway 94, thence west on interstate highway 94 until its intersection with the centerline of state highway 49, thence north on state highway 49 to the point of beginning.
37. District 37 consists of that part of the city of Dickinson and adjacent unorganized territory to the east in Stark County bound by a line commencing at the intersection of the centerline of Broadway and the centerline of State Avenue, thence north on State Avenue and the city limit until the city limit turns west, thence west and north following the city limit until its intersection with the centerline of twenty-first street, thence east on twenty-first street until its intersection with the centerline of Tenth Avenue West, thence north on Tenth Avenue West until its intersection with the centerline of twenty-fifth street, thence east on twenty-fifth street until its intersection with the centerline of Sixth Avenue West, thence south on Sixth Avenue West until its intersection with the centerline of twenty-third street, thence east on twenty-third street and an extended straight line until its intersection with the centerline of Third Avenue West, thence south on Third Avenue West until its intersection with the centerline of twenty-first street, thence east on twenty-first street until its intersection with the centerline of Tenth Avenue East, thence south on Tenth Avenue East and an extended line until its intersection with Eighth Street Southeast, thence west on Eighth Street Southeast until its intersection with the city limit, thence south, west, and north on the city limit to the point of beginning.
38. District 38 consists of all of Afton, Burlington, and Kirkelie townships in Ward County and those portions of Eureka, Harrison, and Waterford townships and that part of the city of Minot not contained in Districts 3, 5, and 40.
39. District 39 consists of all of Adams County, Billings County, Bowman County, Golden Valley County, and Slope County; and all of McKenzie County except that portion contained in District 4.
40. District 40 consists of all of Tatman Township and those portions of Eureka, Harrison, and Nedrose townships and that part of the city of Minot bound by a line commencing at the intersection of the centerline of the

canadian pacific railway right of way and the centerline of sixth street, thence north on sixth street until its intersection with the centerline of central avenue, thence west on central avenue until its intersection with the centerline of eighth street, thence north on eighth street until its intersection with the centerline of seventh avenue, thence west on seventh avenue until its intersection with the centerline of sixteenth street, thence north on sixteenth street until its intersection with the centerline of twenty-first avenue, thence west on twenty-first avenue until its intersection with the centerline of thirtieth street in Harrison Township, thence north on thirtieth street continuing through Eureka Township to the south boundary of Waterford Township, also identified as one hundred twenty-eighth avenue, thence east on the south boundary of Waterford Township to the east boundary of Waterford Township, also identified as sixteenth street, thence north on the east boundary of Waterford Township and sixteenth street until its intersection with the centerline of bomber avenue, thence northwest on bomber avenue until its intersection with the centerline of peacekeeper, thence northeast on peacekeeper until its intersection with the west boundary of Waterford Township, thence north on the west boundary of Waterford Township to the northwest corner of Tatman Township, thence on a line east, south, and west around Tatman Township until its intersection with the northeast corner of Eureka Township, thence south on the east boundary of Eureka Township to the southeast corner of Eureka Township, also identified as forty-sixth avenue, thence east on forty-sixth avenue until its intersection with the centerline of twenty-seventh street, thence south on twenty-seventh street until its intersection with an extended line from the centerline of nineteenth avenue, thence west on nineteenth avenue until its intersection with the centerline of third street, thence north and west on third street until its intersection with the centerline of airport road, thence north and west on airport road until its intersection with the centerline of nineteenth avenue, thence west on nineteenth avenue until its intersection with the centerline of Broadway, thence south on Broadway until its intersection with the centerline of the Burlington Northern Santa Fe Railway right of way, thence south and west on the Burlington Northern Santa Fe Railway right of way until its intersection with the centerline of the Canadian Pacific Railway right of way, thence west on the Canadian Pacific Railway right of way to the point of beginning.

41. District 41 consists of the city of Prairie Rose and that part of the city of Fargo, Barnes Township, and Stanley Township in Cass County bound by a line commencing at the intersection of the centerline of interstate highway 29 and the centerline of fifty-second avenue south, thence east on fifty-second avenue south until its intersection with the centerline of twenty-fifth street, thence north on twenty-fifth street until its intersection with the centerline of twenty-seventh avenue south, thence east on twenty-seventh avenue south until its intersection with the centerline of eighteenth street, thence north on eighteenth street until its intersection with the centerline of twenty-fifth avenue, thence east on twenty-fifth avenue until its intersection with the centerline of seventeenth street, thence north on seventeenth street and an extended straight line until its intersection with interstate highway 94, thence west on interstate highway 94 until its intersection with the centerline of twenty-fifth street, thence north on twenty-fifth street until its intersection with the centerline of seventeenth avenue south, thence west on seventeenth avenue south until its intersection with the centerline of thirty-second street, thence north on thirty-second street until its intersection with the centerline of fifteenth avenue south, thence west on fifteenth avenue south until its intersection with the centerline of thirty-fifth street, thence south on thirty-fifth street until its intersection with the centerline of seventeenth avenue south, thence west on seventeenth avenue south and an extended straight line until its intersection with the centerline of interstate highway 29, thence south on interstate highway 29 to the point of beginning.

42. District 42 consists of that part of the city of Grand Forks in Grand Forks County bound by a line commencing at the intersection of the centerline of gateway drive and the centerline of fifty-fifth street, thence east on gateway drive until its intersection with the centerline of twentieth street, thence south on twentieth street until its intersection with the centerline of sixth avenue north, thence east on sixth avenue north until its intersection with the centerline of Washington street, thence south on Washington street until its intersection with the centerline of the Burlington Northern Santa Fe

railway right of way, thence west on the burlington northern santa fe railway right of way until its intersection with the centerline of fifty-fifth street, thence north on fifty-fifth street to the point of beginning.

43. District 43 consists of that part of Grand Forks Township and that part of the city of Grand Forks in Grand Forks County bound by a line commencing at the intersection of the centerline of washington street and the centerline of thirty-second avenue south, thence west on thirty-second avenue south until its intersection with the centerline of forty-second street, thence north on forty-second street until its intersection with the centerline of the burlington northern santa fe railway right of way, thence east on the burlington northern santa fe railway right of way until its intersection with an extended line from the centerline of twentieth street, thence south on twentieth street until its intersection with the centerline of twentieth avenue south, thence east on twentieth avenue south until its intersection with the centerline of library circle, thence south and east on library circle until its intersection with the centerline of washington street, thence south on washington street to the point of beginning.
44. District 44 consists of that part of the city of Fargo in Cass County bound by a line commencing at the intersection of an extended line from the centerline of thirty-second avenue north and the centerline of the Red River, thence west on thirty-second avenue north until its intersection with the centerline of eagle street northeast, thence north and west on eagle street northeast until its intersection with the centerline of peterson parkway, thence north on peterson parkway until its intersection with the centerline of thirty-fifth avenue, thence west on thirty-fifth avenue until its intersection with the centerline of longfellow road, thence south and west on longfellow road until its intersection with the centerline of thirty-second avenue north, thence west on thirty-second avenue north until its intersection with the centerline of Broadway, thence south on Broadway until its intersection with the centerline of seventeenth avenue north, thence west on seventeenth avenue north until its intersection with the centerline of eighth street, thence south on eighth street until its intersection with the centerline of twelfth avenue north, thence west on twelfth avenue north until its intersection with the centerline of United States highway 81, also known as university drive, thence south on university drive until its intersection with the centerline of the burlington northern santa fe railway right of way, thence east on the burlington northern santa fe railway right of way until its intersection with the centerline of the Red River, thence north on the Red River to the point of beginning.
45. District 45 consists of the city of North River, the city of Harwood, and the city of Reile's Acres; and that part of the city of Fargo, the city of West Fargo, Fargo Township, Harwood Township, Reed Township, and Raymond Township bound by a line commencing at the intersection of the extended centerline of thirty-second avenue north and the centerline of the Red River, thence west on thirty-second avenue north until its intersection with the centerline of eagle street northeast, thence north and west on eagle street northeast until its intersection with the centerline of peterson parkway, thence north on peterson parkway until its intersection with the centerline of thirty-fifth avenue, thence west on thirty-fifth avenue until its intersection with the centerline of longfellow road, thence south and west on longfellow road until its intersection with the centerline of thirty-second avenue north, thence west on thirty-second avenue north until its intersection with the centerline of Broadway, thence south on Broadway until its intersection with the centerline of seventeenth avenue north, thence west on seventeenth avenue north until its intersection with the centerline of eighth street, thence south on eighth street until its intersection with the centerline of twelfth avenue north, thence west on twelfth avenue north until its intersection with the centerline of twenty-sixth street in West Fargo, thence north on twenty-sixth street and ninety-third street until its intersection with the centerline of sixty-fourth avenue, thence east on sixty-fourth avenue until its intersection with the centerline of the west boundary of Reed Township, thence north on the west boundary of Reed Township until its intersection with the centerline of the south boundary of Harwood Township, thence west on the south boundary of Harwood Township until its intersection with the centerline of the west boundary of Harwood Township, thence north on the west boundary of Harwood Township until its intersection with the centerline of twenty-seventh street,

thence east on twenty-seventh street and an extended line until its intersection with the centerline of the Red River, thence south on the Red River to the point of beginning.

46. District 46 consists of that part of the city of Fargo and Stanley Township in Cass County bound by a line commencing at the intersection of the extended centerline of fifty-second avenue south and the centerline of the Red River, thence west on fifty-second avenue south until its intersection with the centerline of United States highway 81, thence south on United States highway 81 until its intersection with the centerline of sixty-fourth avenue south, thence west on sixty-fourth avenue south until its intersection with the centerline of Cass County drain number fifty-three, thence north on Cass County drain number fifty-three until its intersection with the centerline of fifty-second avenue south, thence east on fifty-second avenue south until its intersection with the centerline of twenty-fifth street, thence north on twenty-fifth street until its intersection with the centerline of twenty-seventh avenue south, thence east on twenty-seventh avenue south until its intersection with the centerline of eighteenth street, thence north on eighteenth street until its intersection with the centerline of twenty-fifth avenue south, thence east on twenty-fifth avenue south until its intersection with the centerline of seventeenth street, thence north on seventeenth street and an extended straight line until its intersection with the centerline of interstate highway 94, thence east on interstate highway 94 to the centerline of the Red River, thence south on the Red River to the point of beginning.
47. District 47 consists of that part of the city of Bismarck and that part of Hay Creek Township and Burnt Creek-Riverview unorganized township bound by a line commencing at the intersection of the centerline of interstate highway 94 and the centerline of the Missouri River, thence east on interstate highway 94 until its intersection with the centerline of divide avenue, thence south and east on divide avenue until its intersection with the centerline of fourth street, thence north on fourth street until its intersection with the centerline of interstate highway 94, thence east on interstate highway 94 until its intersection with the centerline of United States highway 83, thence north on United States highway 83 until its intersection with the north boundary of Burnt Creek-Riverview unorganized township, thence west on the north boundary of Burnt Creek-Riverview unorganized township until its intersection with the centerline of the Missouri River, thence south on the Missouri River to the point of beginning.

SECTION 5. REPEAL. Section 54-03-01.9 of the North Dakota Century Code is repealed.

SECTION 6. SECRETARY OF STATE TO MODIFY ELECTION DEADLINES AND PROCEDURES. If, as a result of a delay in implementation of this Act, it becomes necessary to modify election deadlines and procedures for the conduct of the 2002 primary election, the secretary of state, in consultation with city and county election officials, shall adopt modified election deadlines and procedures to allow the conduct of the 2002 primary election as scheduled. The modified deadlines and procedures may address filing and publishing deadlines and any other matters necessary to accommodate the conduct of the primary election.

SECTION 7. LEGISLATIVE INTENT - BOUNDARIES. It is the intent of the legislative assembly that although this Act is effective on December 7, 2001, the members of the legislative assembly elected under the redistricting plan effective on December 6, 2001, shall continue to serve until implementation of this Act. Any reference in the legislative district descriptions to a city limit or the Fort Berthold reservation boundary as a boundary line refers to the limit or boundary as it existed on January 1, 2000, as shown on the 2000 census maps. A legislative district boundary using the Fort Berthold reservation or city limit lines does not migrate as the Fort Berthold reservation boundary or city limits migrate. For purposes of legislative district descriptions, unless cities are otherwise specifically named, townships encompass all the territory within their outer boundaries.

SECTION 8. EFFECTIVE DATE. This Act becomes effective on December 7, 2001."

CONSIDERATION OF AMENDMENTS

SB 2456: SEN. HOLMBERG (Joint Legislative Redistricting Committee) MOVED that the amendments be adopted and then be **REREFERRED** to the **Joint Legislative Redistricting Committee** which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that the absent members be excused, which motion prevailed.

MOTION

SEN. CHRISTMANN MOVED that the Senate be on the Fifth and Ninth orders of business and at the conclusion of those orders, the Senate stand adjourned until 9:00 a.m., Tuesday, November 27, 2001, which motion prevailed.

The Senate stood adjourned pursuant to Senator Christmann's motion.

WILLIAM R. HORTON, Secretary