

Sixty-second
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1397

Introduced by

Representative Schatz

1 A BILL for an Act to amend and reenact section 54-35-01 of the North Dakota Century Code,
2 relating to the membership of the legislative management; and to declare an emergency.

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

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

6 **54-35-01. Legislative management - Created - Members - Vacancy - Terms.**

7 1. The North Dakota legislative management consists of the majority and minority
8 leaders of the house and of the senate ~~plus, the speaker of the house, and~~ six
9 senators and ~~seven~~six representatives chosen biennially before the close of each
10 regular legislative session.

11 2. In the house of representatives the ~~speaker of the house~~majority leader shall appoint
12 to the legislative management four members ~~recommended~~elected by the majority-
13 leader ~~and three members recommended by political party with the largest number of~~
14 ~~members in the house and the minority leader~~ of the house shall appoint to the
15 legislative management members elected by the political party with the next largest
16 number of members in the house, except that the speaker must by virtue of office be
17 one of the ~~four members appointed from the speaker's faction~~political party of the
18 house shall appoint to the legislative management two members elected by the
19 political party with the next largest number of members in the house.

20 3. In the senate the ~~lieutenant governor~~majority leader shall appoint to the legislative
21 management four members ~~recommended~~elected by the majority leader ~~and two~~
22 ~~members recommended by political party with the largest number of members in the~~
23 ~~senate and the minority leader~~ shall appoint to the legislative management two

1 members elected by the political party with the next largest number of members in the
2 senate.

3 ~~4. The majority and minority leaders of the house of representatives shall make the~~
4 ~~appointments so as to give the two political parties having the most members in the~~
5 ~~house the same total proportionate representation on the legislative management as~~
6 ~~prevails in the house. In allocating the membership on the legislative management to~~
7 ~~each political party, the total number of members in the house of representatives must~~
8 ~~be divided by nine; the resulting quotient must then be divided into the number of~~
9 ~~members of each of the two political parties of the house; the resulting quotient for~~
10 ~~each party of the house, rounded to the nearest whole number, is the number of~~
11 ~~members of that political party in the house to be on the legislative management.~~
12 ~~Notwithstanding this allocation, if the number of members in the minority political party~~
13 ~~in the house of representatives would not result in any representation on the legislative~~
14 ~~management, the minority leader in the house must represent that party on the~~
15 ~~legislative management.~~

16 ~~5. A member of the house of representatives may not be appointed to serve as a~~
17 ~~member of the legislative management more than twice.~~

18 6.4. Any vacancy occurring when the legislative assembly is not in session must be filled
19 by the selection of another member of the legislative assembly belonging to the same
20 factionparty as the member originally appointed, the selection to be made by the
21 remaining senate or house members of the legislative management, depending upon
22 which body has the vacancy. Each senator and each representative chosen to serve
23 on the legislative management shall serve until a new legislative management has
24 been selected at the next regular legislative session; provided, however, that no
25 senator, not a holdover, who is not reelected to the senate, and no representative, who
26 is not reelected to the house of representatives, may serve as a member of the
27 legislative management beyond the closing day of the term to which elected. Any
28 vacancy occurring because any member of the legislative management is not
29 reelected must be filled for the period from the beginning of the session until a new
30 legislative management is selected, in the same manner as the original legislative
31 management is selected.

1 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.