

PROPOSED AMENDMENTS TO SENATE AND HOUSE RULES 502 AND 504 AND
CREATION OF JOINT RULE 303

1 **SECTION 1. AMENDMENT.** Senate Rule 502 is amended as follows:

2 **502. LIMITATIONS ON COMMITTEE MEMBERSHIP.** Each member shall serve on
3 two standing committees, not including the Joint Constitutional Revision Committee, except the
4 Majority Leader, who may not serve on any standing committee, the Minority Leader, who may
5 be appointed to any standing committee, including the Joint Constitutional Revision Committee,
6 by the Committee on Committees, and all members of the Appropriations Committee, who may
7 not serve on any other standing committee, including the Joint Constitutional Revision
8 Committee. No member of the Senate may be appointed to more than one 3-day and one
9 2-day committee. The Majority and Minority Leaders may participate in all standing committees
10 but may not vote therein except that the Minority Leader may vote on any committee to which
11 the Minority Leader has been appointed.

12 **SECTION 2. AMENDMENT.** Senate Rule 504 is amended as follows:

13 **504. COMMITTEE MEETINGS.**

- 14 1. The Appropriations Committee meets on Monday, Tuesday, Wednesday,
- 15 Thursdays, and Friday of each week.
- 16 2. The three-day committees meet on Monday, Tuesday, and Wednesday of each
- 17 week.
- 18 3. The two-day committees meet on Thursday and Friday of each week.
- 19 4. Any committee that meets on Wednesday and which has a member who is also a
- 20 member of the Joint Constitutional Revision Committee may not meet during the
- 21 time the Joint Constitutional Revision Committee meets.
- 22 5. The chairman of any committee, or a majority of that committee, may call meetings
- 23 at times and on other days as deemed necessary.

24 **SECTION 3. AMENDMENT.** House Rule 502 is amended as follows:

25 **502. LIMITATIONS ON COMMITTEE MEMBERSHIP.** Each member shall serve on
26 two standing committees, not including the Joint Constitutional Revision Committee, except the
27 Speaker and the Majority Leader, who may not serve on any standing committee, the Minority

1 Leader, who may be appointed to any standing committee, including the Joint Constitutional
2 Revision Committee, by the Committee on Committees, and all members of the Appropriations
3 Committee, who may not serve on any other standing committee, including the Joint
4 Constitutional Revision Committee. No member of the House may be appointed to more than
5 one 3-day and one 2-day committee. The Speaker and the Majority and Minority Leaders may
6 participate in all standing committees but may not vote therein except that the Minority Leader
7 may vote on any committee to which the Minority Leader has been appointed.

8 **SECTION 4. AMENDMENT.** House Rule 504 is amended as follows:

9 **504. COMMITTEE MEETINGS.**

- 10 1. The Appropriations Committee meets on Monday, Tuesday, Wednesday,
11 Thursday, and Friday of each week.
- 12 2. The three-day committees meet on Monday, Tuesday, and Wednesday of each
13 week.
- 14 3. The two-day committees meet on Thursday and Friday of each week.
- 15 4. Any committee that meets on Wednesday and which has a member who is also a
16 member of the Joint Constitutional Revision Committee may not meet during the
17 time the Joint Constitutional Revision Committee meets.
- 18 5. The chairman of any committee, or a majority of that committee, may call meetings
19 at times and on other days as deemed necessary.

20 **SECTION 6.** Joint Rule 303 is created as follows:

21 **303. JOINT CONSTITUTIONAL REVISION COMMITTEE.** The Joint Constitutional
22 Revision Committee consists of ten members, five from each house, appointed in the same
23 manner as the members of other standing committees are appointed. The first-named member
24 from each house is cochairman of the committee. The committee meets on Wednesday of
25 each week at three p.m. in the Prairie Room or at the times and places called by the
26 cochairmen. The presiding officer shall refer to the committee all resolutions proposing
27 amendments, additions, or repeals to the Constitution of North Dakota. The committee shall
28 report in the same manner and in accordance with the same time schedules as do other
29 standing committees. The committee shall report a resolution back first to its house of origin.

NOTE: This proposed rules amendment and creation of the Joint Constitutional Revision Committee is in response to a request made at the March 11, 2002, meeting of the Legislative Management Committee. The Joint Constitutional Revision Committee was originally created in 1977 as a result of a recommendation of the Legislative Council's interim Legislative Procedure and Arrangements Committee. In

recommending creation of the Joint Constitutional Revision Committee, the committee stated in its report:

The committee believes that this proposal is desirable in order to ensure that constitutional revision measures recommended by each legislature are coordinated and do not conflict with each other. The recommendation is also in line with the philosophy espoused by the interim Committee on Constitutional Revision.

During that 1975-76 interim, the Legislative Council's interim Constitutional Revision Committee conducted a study for the purpose of proposing revision of all or appropriate parts of the Constitution of North Dakota. During its study, the committee recognized that other interim committees were considering constitutional amendments and asked that other committees considering constitutional amendments refer those amendments to the Constitutional Revision Committee after approval by the originating committee. The purpose was for the Constitutional Revision Committee to review the proposed amendments for possible duplication or conflict.

The proposed Joint Rule 303 is nearly identical to the prior Joint Rule 303, which established a Joint Constitutional Revision Committee. The proposed Joint Rule 303 specifically designates the Prairie Room as the room in which the committee is to meet and provides for a 3:00 p.m. starting time rather than a 3:00 to 5:00 p.m. meeting time. The prior rule did not designate a room which may have led to the discussion concerning the Joint Constitutional Revision Committee by the Legislative Management Committee during the 1995-96 interim. As described in the 1997 Legislative Council Report:

The committee discussed the conflicts experienced during the 1995 session when committees met during the time designated for the Joint Constitutional Revision Committee to meet. Under Joint Rule 303, the Joint Constitutional Revision Committee is to meet Wednesdays from 3:00 to 5:00 p.m. Under Senate and House Rules 504, any committee that meets on Wednesday and which has a member who is a member of the Joint Constitutional Revision Committee is not to meet during the time the Joint Constitutional Revision Committee meets. The committee reviewed the workload of the Joint Constitutional Revision Committee since 1985. The committee recommends repeal of Joint Rule 303, which establishes the Joint Constitutional Revision Committee, and corresponding amendments to Senate and House Rules 502 and 504 to delete references to the Joint Constitutional Revision Committee.

Although not stated in the Legislative Council Report, there were instances during the 1995 legislative session in which the Joint Constitutional Revision Committee was scheduled to meet in a committee room during the same time other legislative meetings were scheduled for that room.

The following table depicts the number of concurrent resolutions referred to the Joint Constitutional Revision Committee for the legislative session indicated:

Legislative Session	Senate Concurrent Resolutions	House Concurrent Resolutions
1995	6	12
1993	6	7
1991	9	10
1989	12	10
1987	13	12
1985	10	7

The following table depicts the number of concurrent resolutions proposing constitutional amendments introduced for the legislative session indicated:

Legislative Session	Senate Concurrent Resolutions	House Concurrent Resolutions
2001	4	3
1999	9	9
1997	8	6