

1 **SECTION 1. AMENDMENT.** Senate Rule 312 is amended as follows:

2 **312. MOTIONS DURING DEBATE.** When a question is under debate, no motion may
3 be received, except to fix the time to which to adjourn; to adjourn; to permit a member to vote;
4 to lay on the table; to move the previous question; to close, limit, or extend debate (which ~~five~~
5 six kinds of motions must be decided without debate); to move to postpone to a day certain; to
6 refer; and to amend. These motions have precedence in the order in which they are named.
7 No motion to postpone to a day certain or to refer, having been decided, may be entertained
8 again on the same day.

9 **SECTION 2. AMENDMENT.** Senate Rule 317 is amended as follows:

10 **317. NONDEBATABLE MOTIONS.** The following motions are not debatable:

- 11 1. Adjournment.
- 12 2. Clincher.
- 13 3. Fix the time of adjournment.
- 14 4. Order of the day.
- 15 5. Reading of papers.
- 16 6. Withdrawal of motion.
- 17 7. Suspension of the rules.
- 18 8. ~~To lay~~ Lay on the table.
- 19 9. Previous question.
- 20 10. Close, limit, or extend debate.
- 21 11. Permit a member to vote.

NOTE: Sections 1 and 2 are in response to a suggestion that House Rule 312 (Motions During Debate) also should list a motion to allow a member to vote under House Rule 322 (Procedure in Excusing Member From Voting). The location of the proposed amendment follows the approximate order of precedence of motions listed in Section 187 of Mason's Manual of Legislative Procedure.

Senate and House Rules 317 are amended to include the motion to permit a member to vote within the list of nondebatable motions. The listing of the motion to permit a member to vote within the kinds of motions decided without debate recognizes the current provision of Senate and House Rules 322: "Upon motion, the question must be

put to the [Senate/House], 'Shall the member, for the reasons stated, be permitted to vote?' which must be decided without debate."

1 **SECTION 3. AMENDMENT.** Senate Rule 402 is amended as follows:

2 **402. WHEN INTRODUCED.**

- 3 1. No member other than the Majority and Minority Leaders may introduce more than
4 three bills as prime sponsor after the ninth legislative day. No bill may be
5 introduced after the fourteenth legislative day, and no resolution, except those
6 resolutions described in subsection ~~3~~ 4, may be introduced after the eighteenth
7 legislative day, except upon approval of a majority of the Delayed Bills Committee
8 or upon two-thirds vote of the members of the Senate present and voting.
- 9 2. No members of the Legislative Assembly on April first of the year before a regular
10 legislative session may submit a bill mandating health insurance coverage of
11 services or payment for specified providers as described in North Dakota Century
12 Code Section 54-03-28 for consideration by the Employee Benefits Programs
13 Committee after April first of the year before a regular legislative session. No
14 member of the Legislative Assembly taking legislative office for the first time after
15 November thirtieth of the year before a regular legislative session may submit a bill
16 mandating health insurance coverage of services or payment for specified
17 providers as described in North Dakota Century Code Section 54-03-28 for
18 consideration by the Employee Benefits Programs Committee after the first
19 Wednesday following adjournment of the organizational session.
- 20 ~~3.~~ 4. No bill introduced at the request of an executive agency or the Supreme Court may
21 be introduced after the close of business on the day after the adjournment of the
22 organizational session, except upon approval of a majority of the Delayed Bills
23 Committee.
- 24 ~~3.~~ 4. Resolutions that propose amendments to the Constitution of North Dakota and
25 resolutions directing the Legislative Council to carry out a study may not be
26 introduced after the thirty-first legislative day.

NOTE: This rules amendment is in response to a suggestion by Blue Cross Blue Shield of North Dakota to increase the time available for the actuary to make an analysis of health mandate legislation. Under North Dakota Century Code Section 54-03-28, a bill that is a mandate must be considered by the Employee Benefits Programs Committee, must be referred to a standing committee, must have an independent cost-benefit analysis before the standing committee can take action, then must be rereferred to the Appropriations Committee if the bill affects the appropriation for the Public Employees Retirement System. Experience indicates it takes four weeks to complete the actuarial analysis.

1 **SECTION 4. AMENDMENT.** Subsection 1 of Senate Rule 402 is amended as follows:

- 2 1. No member other than the Majority and Minority Leaders may introduce more than
3 three bills as prime sponsor after the ~~ninth~~ tenth legislative day. No bill may be
4 introduced after the ~~fourteenth~~ fifteenth legislative day, and no resolution, except
5 those resolutions described in subsection 3, may be introduced after the
6 eighteenth legislative day, except upon approval of a majority of the Delayed Bills
7 Committee or upon two-thirds vote of the members of the Senate present and
8 voting.

9 **SECTION 5. AMENDMENT.** Subsection 1 of Joint Rule 203 is amended as follows:

- 10 1. A bill that has passed one house may not be sent to the other house for
11 concurrence after the ~~thirty-third~~ thirty-fourth legislative day, except a bill approved
12 for introduction after the deadline for introduction of bills.

NOTE: Sections 4 and 5 revise deadlines for introducing bills so that the deadlines continue to fall on Mondays in light of the Legislative Assembly convening on a Tuesday rather than a Wednesday in 2009.

The proposed amendment to Joint Rule 203(1) maintains crossover on a Friday.

13 **SECTION 6.** Joint Rule 210 is created as follows:

14 **210. DELIVERY OF VETO MESSAGES.** When the Governor vetoes a bill that cannot
15 be returned to the house of origin because the legislative assembly is not in session, the
16 objections to the bill must be filed with the Secretary of State and with the director of the
17 Legislative Council or a Legislative Council employee designated by the director for purposes
18 of publishing the objections in the journal of the house of origin and in the Session Laws.

NOTE: This proposed rules amendment is in response to a suggestion that a joint rule similar to Joint Rule 209 (Return of Vetoes With Objections) be created to establish a procedure for delivery of veto messages for bills vetoed after the Legislative Assembly has adjourned in order for the Legislative Council office to receive the message for purposes of publication in the postsession journal and in the Session Laws.

19 **SECTION 7. AMENDMENT.** Joint Rule 802 is amended as follows:

20 **802. IDENTIFICATION OF REPRESENTATIVES OF THE MEDIA.** The Legislative
21 Council may provide identification badges for individuals identified as representatives of the
22 media by the North Dakota Newspaper Association and the North Dakota Broadcasters
23 Association before a regular session or by the statehouse correspondent of the Associated
24 Press during a legislative session. The statehouse correspondent of the Associated Press
25 shall ~~distribute~~ determine the method for distribution of the badges to the appropriate
26 individuals for use during the session to obtain access to the floor of the chamber as permitted

1 by the Senate and House. The statehouse correspondent of the Associated Press shall notify
2 the President of the Senate and the Speaker of the House with respect to identification badges
3 issued during the session.

NOTE: This proposed rules amendment is in response to a suggestion that Joint Rule 802 should reflect the practice followed in distributing identification badges, i.e., the North Dakota Newspaper Association distributes the badges. The proposed language provides the flexibility to recognize practices that may change in the future.