



North Dakota Legislative Council

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EXPLANATION OF PROPOSED LEGISLATIVE RULE CHANGES

This memorandum provides a section-by-section explanation of the proposed rule changes [\[23.9617.01000\]](#) and [\[23.9618.01000\]](#) relating to a special or reconvened legislative session.

SECTION 1

This section amends subsection 4 of House and Senate Rule 318. The amendment removes the requirement for a two-thirds vote of the members-elect of the House or Senate for second reading on the same day an item is reported from committee.

SECTION 2

This section amends House and Senate Rule 329. The amendment provides the scenarios in which a measure must be referred or rereferred to the Joint Appropriations Committee. These include a bill approved for introduction by a two-thirds vote of the members of the House or Senate present and voting which provides an appropriation of \$50,000 or more or which has a fiscal note of \$200,000 or more on the appropriation of a state agency or department; a bill amended to include an appropriation of \$50,000 or more or in a manner which creates a fiscal note of \$200,000 or more on the appropriation of a state agency or department; or, for purposes of the Senate Rule only, a bill or resolution proposing a change in the audit or fiscal procedures of a state agency or institution. The amendment also removes subsection 4, relating to deadlines applicable during a regular legislative session.

SECTION 3

This section amends House and Senate Rule 337. The amendment allows a bill or resolution to have its second reading and final passage 1 day after its first reading.

SECTION 4

This section repeals House and Senate Rule 338. House and Senate Rule 338 pertain to bills being placed on the calendar for second reading after the 53rd day and is not applicable during a special or reconvened legislative session.

SECTION 5

This section amends House and Senate Rule 347. The amendment authorizes the Chief Clerk of the House or the Secretary of the Senate to message a bill or resolution to the other chamber immediately after the second reading of the bill or resolution unless the Majority or Minority Leader give notice of an intent to move reconsideration of the bill or resolution, upon which event the Chief Clerk of the House or the Secretary of the Senate shall retain the bill or resolution until the adjournment of that day's session.

SECTION 6

This section amends subsection 1 of House and Senate Rule 401. The amendment eliminates a reference to the number and time restriction on the introduction of bills and measures due to the amendments to House and Senate Rule 402.

SECTION 7

This section amends House and Senate Rule 402. The amendment revises bill introduction requirements to allow only bills or resolutions approved by the Legislative Management or upon a two-thirds vote of the members of the respective house present and voting to be introduced during a special or reconvened legislative session.

SECTION 8

This section repeals House and Senate Rule 403. House and Senate Rule 403 pertain to the Delayed Bills Committee and the introduction of delayed bills.

SECTION 9

This section amends House and Senate Rule 501. The amendment eliminates the Committee on Committees and provides the Majority Leader in each house will appoint the members of the newly created Joint Policy Committee and may appoint replacement members to any committee in the event of an absence. The amendment also removes the procedural Delayed Bills Committee and Inaugural Planning Committee. Members of the remaining procedural committees and the Joint Appropriations Committee will be the same members who served on those committees during the most recent legislative session pursuant to North Dakota Century Code Section 54-03-04.

SECTION 10

This section repeals House and Senate Rule 502. House and Senate Rule 502 provide limitations on committee membership and the number of committees on which a member may serve.

SECTION 11

This section amends House and Senate Rule 504. The amendment removes references to the days of the week for convening appropriations, 3-day, and 2-day committees and provides the chairman of a committee, or a majority of the committee, may call meetings as necessary.

SECTION 12

This section repeals House and Senate Rules 505 and 509. House and Senate Rule 505 pertain to committee membership and require each member to serve on two standing committees. The rule also places other limitations on committee membership. House and Senate Rule 509 pertain to the deadlines for committees to report measures back to the House or Senate during a regular legislative session.

SECTION 13

This section amends House and Senate Rule 601. The amendment allows for immediate action on amendments and second reading after adoption or rejection of amendments without motions. The references to subdivision g as an exception are deleted because subdivision g, relating to immediate second reading, becomes the rule rather than the exception.

SECTION 14

This section amends Joint Rule 202. The amendment removes the requirement for a day to pass before a question can be reconsidered with respect to an issue that would go to a Conference Committee.

SECTION 15

This section amends Joint Rule 207. The amendment allows an item on the consent calendar to be considered for adoption on the same day it is placed on the consent calendar.

SECTION 16

This section repeals Joint Rules 208 and 211. Joint Rule 208 pertains to the introduction of bills by executive agencies and the Supreme Court. Joint Rule 211 pertains to the deadline for introduction of bills providing for health insurance mandates.

SECTION 17

This section creates Joint Rule 303 to provide for a Joint Appropriations Committee. The committee consists of 39 members, the 23 members from the House who served on the Appropriations Committee during the most recent session and the 16 members from the Senate who served on the Appropriations Committee during the most recent session. The committee shall hear all bills that serve primarily to provide an appropriation. The first named member of each house shall serve as co-chairmen. For each bill under consideration by the committee, the co-chairman from the house of introduction of the bill shall preside. The committee shall issue a joint report, which is presented first to the house having possession of the measure, and then to the other house if appropriate. A majority of each house's committee members must approve a recommendation before a joint report may be issued. If a successful division or floor amendment occurs in the house of introduction after the joint report is reported out of the committee, the bill messaged to the second house must be rereferred to the joint committee by the second house.

SECTION 18

This section creates Joint Rule 304 to provide for a Joint Policy Committee. The committee consists of 28 members, 14 from the House and 14 from the Senate, appointed by the Majority Leader in each house. The committee shall hear all bills not heard by the Joint Appropriations Committee. The first named member of each house shall serve as co-chairmen. For each bill under consideration by the committee, the co-chairman from the house of introduction of the bill shall preside. The committee shall issue a joint report, which is presented first to the house having possession of the measure, and then to the other house if appropriate. A majority of each house's committee members must approve a recommendation before a joint report may be issued. If a successful division or floor amendment occurs in the house of introduction after the joint report is reported out of the committee, a bill messaged to the second house must be rereferred to the joint committee by the second house.

SECTION 19

This section amends subsection 4 of Joint Rule 501. The amendment requires agencies to return a fiscal note to the Legislative Council within 1 day from the date of the request, rather than the 5 days allowed during a regular legislative session.