

HOUSE BILL NO. 1330

Introduced by

Representatives Schatz, Carlson, Vigesaa

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, the speaker of the house, and six senators
9 and six representatives chosen biennially before the close of each regular legislative
10 session.

11 2. In the house of representatives the majority leader shall appoint to the legislative
12 management ~~four~~ members elected by the political party with the largest number of
13 members in the house and the minority leader of the house shall appoint to the
14 legislative management ~~two~~ members elected by the political party with the next
15 largest number of members in the house. The majority and minority leaders of the
16 house of representatives shall make the appointments so as to give the two political
17 parties having the most members in the house the same total proportionate
18 representation on the legislative management as prevails in the house. In allocating
19 the membership on the legislative management to each political party, the total
20 number of members in the house of representatives must be divided by six; the
21 resulting quotient must then be divided into the number of members of each of the two
22 political parties of the house; the resulting quotient for each party of the house,
23 rounded to the nearest whole number, is the number of members of that political party
24 in the house to be on the legislative management. Notwithstanding this allocation, ~~if~~

1 ~~the number of members in the minority political party in the house of representatives~~
2 ~~would not result in any representation on the legislative management, the minority~~
3 ~~leader in the house must represent that party~~ must be represented by at least two
4 members on the legislative management.

5 3. In the senate the majority leader shall appoint to the legislative management ~~four~~
6 members elected by the political party with the largest number of members in the
7 senate and the minority leader shall appoint to the legislative management ~~two~~
8 members elected by the political party with the next largest number of members in the
9 senate. The majority and minority leaders of the senate shall make the appointments
10 so as to give the two political parties having the most members in the senate the same
11 total proportionate representation on the legislative management as prevails in the
12 senate. In allocating the membership on the legislative management to each political
13 party, the total number of members in the senate must be divided by six; the resulting
14 quotient must then be divided into the number of members of each of the two political
15 parties of the senate; the resulting quotient for each party of the senate, rounded to
16 the nearest whole number, is the number of members of that political party in the
17 senate to be on the legislative management. Notwithstanding this allocation, ~~if the~~
18 ~~number of members in the minority political party in the senate would not result in any~~
19 ~~representation on the legislative management, the minority leader in the senate must~~
20 ~~represent that party~~ must be represented by at least two members on the legislative
21 management.

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

1 occurring because any member of the legislative management is not re-elected must
2 be filled for the period from the beginning of the session until a new legislative
3 management is selected, in the same manner as the original legislative management
4 is selected.

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