

**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.