

## **CHAPTER 54-03 LEGISLATIVE ASSEMBLY**

**54-03-01. State legislative apportionment.** Repealed by S.L. 1975, ch. 463, § 4.

**54-03-01.1. Numbering legislative districts - Classes of senators to provide staggered terms.** Repealed by S.L. 1975, ch. 463, § 4.

**54-03-01.2. Legislative subdistricting - Methods.** Repealed by S.L. 1975, ch. 463, § 4.

**54-03-01.3. Election on petition - Ballot form - Vote required.** Repealed by S.L. 1975, ch. 463, § 4.

**54-03-01.4. Amendment to the Constitution of the United States - Results.** Repealed by S.L. 1975, ch. 463, § 4.

**54-03-01.5. Legislative redistricting requirements.** A legislative redistricting plan based on any census taken after 1999 must meet the following requirements:

1. The senate must consist of forty-seven members and the house must consist of ninety-four members.
2. Except as provided in subsection 3, one senator and two representatives must be apportioned to each senatorial district. Representatives may be elected at large or from subdistricts.
3. Multimember senate districts providing for two senators and four representatives are authorized only when a proposed single-member senatorial district includes a federal facility or federal installation, containing over two-thirds of the population of the proposed single-member senatorial district.
4. Legislative districts and subdistricts must be compact and of contiguous territory.
5. Legislative districts must be as nearly equal in population as is practicable. Population deviation from district to district must be kept at a minimum. The total population variance of all districts, and subdistricts if created, from the average district population may not exceed recognized constitutional limitations.

**54-03-01.6. State legislative apportionment.** Repealed by S.L. 1981, ch. 804, § 9.

**54-03-01.7. State legislative apportionment.** Repealed by S.L. 1991 Sp., ch. 886, § 3.

**54-03-01.8. Staggering of the terms of senators.** A senator from an odd-numbered district must be elected in 2002 for a term of four years and a senator from an even-numbered district must be elected in 2004 for a term of four years. Except as otherwise provided in this section, a senator from an even-numbered district in which there is another incumbent senator as a result of legislative redistricting must be elected in 2002 for a term of two years. However, if as a result of legislative redistricting a senator elected in 1998 is placed in an even-numbered district there must be an election in 2002 for a term of two years unless the senator elected in 1998 files by February 15, 2002, a written statement with the secretary of state stating that the senator elected in 1998 agrees that there need not be an election for a senator in 2002 and that the senator elected in 2000 may continue that senator's term; based on this requirement, districts twenty and twenty-six may be required to elect senators in 2002. A senator from an odd-numbered district in which there is another incumbent senator must be elected in 2002 for a term of four years; based on this requirement, district thirty-one must elect a senator in 2002. The term of a senator from an even-numbered district who is placed in an odd-numbered district as a result of legislative redistricting expires as of December 1, 2002; based on this requirement,

the term of the senator elected in district twelve in 2000 expires as of December 1, 2002, and district twenty-three must elect a senator in 2002.

**54-03-01.9. Legislative redistricting.** Repealed by S.L. 2001, ch. 691, § 5.

**54-03-01.10. Staggering of terms of representatives.** The term of office of a representative is four years. A representative from an odd-numbered district must be elected in 2002 for a term of four years and a representative from an even-numbered district must be elected in 2004 for a term of four years. Except as otherwise provided in this section, a representative from an even-numbered district in which there are more than two incumbent representatives from an even-numbered district as a result of legislative redistricting must be elected in 2002 for a term of two years. However, if there are more than two incumbents from an even-numbered district in the even-numbered district and all except two incumbents file by February 15, 2002, a written resignation as provided in section 44-02-02 copied to the secretary of state stating that the incumbent resigns the incumbent's office effective December 1, 2002, an election is not required to be held until the scheduled expiration of the term of the remaining incumbents. If there are more than two incumbents from an even-numbered district in the even-numbered district and all except one incumbent file by February 15, 2002, a written resignation as provided in section 44-02-02 copied to the secretary of state stating that the incumbent resigns the incumbent's office effective December 1, 2002, the district must elect one representative in 2002 for a term of two years; based on these requirements, district twenty-eight may be required to elect a representative or two representatives in 2002. If as a result of legislative redistricting, a representative elected in 1998 is placed in an even-numbered district with only one incumbent elected in 2000, the representative elected in 2000 may continue that representative's term and the district must elect one representative in 2002 for a term of two years; based on this requirement, district twenty-six must elect a representative in 2002. If as a result of legislative redistricting, a representative elected in 1998 is placed in an even-numbered district with two incumbents elected in 2000, there must be an election in 2002 for two offices for a term of two years unless the representative elected in 1998 files by February 15, 2002, a written statement with the secretary of state stating that the representative elected in 1998 agrees that there need not be an election for representatives in 2002 and that the representatives elected in 2000 may continue their terms; based on this requirement, district twenty-four may be required to elect representatives in 2002. If a vacancy occurs in an even-numbered district where there are more than two incumbents from an even-numbered district in the even-numbered district, an incumbent who filed a written resignation as provided in section 44-02-02 by February 15, 2002, may fill the vacancy for the unexpired term of the representative. A representative from an odd-numbered district in which there are more than two incumbent representatives as a result of legislative redistricting must be elected in 2002 for a term of four years; based on this requirement, districts seven, twenty-three, thirty-one, and thirty-three must elect representatives in 2002. The terms of representatives elected in 2000 from district twelve expire as of December 1, 2002.

**54-03-01.11. Legislative redistricting.** Each legislative district is entitled to one senator and two representatives. The legislative districts of the state are formed as follows:

1. District 1 consists of that part of the city of Williston and Stony Creek and Williston townships in Williams County bound by a line commencing at the point where the centerline of thirty-second avenue intersects the centerline of United States highway 2, thence south on thirty-second avenue to the shoreline of Lake Sakakawea, thence east on the shoreline of Lake Sakakawea until its intersection with the centerline of the Little Muddy Creek, thence north on the Little Muddy Creek until its intersection with the extended centerline of forty-second street, thence west on forty-second street and continuing west on fifty-third street northwest until its intersection with the centerline of one hundred thirty-eighth avenue northwest, thence south on one hundred thirty-eighth avenue northwest to the point of beginning.
2. District 2 consists of all of Burke County and Divide County; all of Williams County except that portion contained in District 1; and Bicker, Powers Lake, Powers,

Lostwood, White Earth, Sorkness, Cottonwood, James Hill, Myrtle, Manitou, Ross, and Idaho townships in Mountrail County.

3. District 3 consists of Margaret, McKinley, Maryland, Sundre, and Surrey townships in Ward County; and that part of the city of Minot and that part of Nedrose Township in Ward County bound by a line commencing at the intersection of the centerline of nineteenth avenue and the centerline of north Broadway, thence south on Broadway until its intersection with the centerline of Burdick expressway, thence east on Burdick expressway until its intersection with the centerline of third street, thence south on third street until its intersection with the centerline of eleventh avenue southeast, thence east on eleventh avenue southeast until its intersection with the centerline of seventh street, thence south on an extended line from seventh street until its intersection with the centerline of sixteenth avenue southeast, thence east on sixteenth avenue southeast until its intersection with the centerline of thirteenth street southeast, thence south on thirteenth street southeast until its intersection with the south boundary of Nedrose Township, thence east on the south boundary of Nedrose Township until its intersection with the southeast corner of Nedrose Township, thence north on the east boundary of Nedrose Township until its intersection with the northeast corner of Nedrose Township, thence west on the north boundary of Nedrose Township until its intersection with the centerline of twenty-seventh street, thence south on twenty-seventh street until its intersection with the extended centerline of nineteenth avenue, thence west on the extended centerline of nineteenth avenue until its intersection with the centerline of third street, thence north and west on third street until its intersection with the centerline of airport road, thence north on airport road until its intersection with the centerline of nineteenth avenue, thence west on nineteenth avenue to the point of beginning.
4. District 4 consists of all of Mountrail County except that portion contained in District 2; Lund, Linton, Vang, Torning, Freedom, Willis, New Prairie, Sawyer, Orlien, Anna, Rice Lake, Hilton, Gasman, Newman, Brilliant, Hiddenwood, Ryder, Cameron, Spring Lake, Rushville, Iota Flat, and Greely townships in Ward County; those portions of McKenzie County and Mercer County within the Fort Berthold reservation; that part of Dunn County bound by a line commencing at the intersection of the Fort Berthold reservation boundary and the north boundary of Dunn County, thence south on the reservation boundary until its intersection with the centerline of the Little Missouri River, thence south and east on the centerline of the Little Missouri River until its intersection with the west boundary of Township 147-94, thence south on the west boundary of Townships 147-94, 146-94, and 145-94, thence east on the south boundary of Township 145-94 to the west boundary of Township 144-94, thence south on the west boundary of Townships 144-94 and 143-94, thence east on the south boundary of Townships 143-94, 143-93, 143-92, and 143-91 to the east boundary of Dunn County; and all of McLean County except that portion contained in District 8.
5. District 5 consists of that part of the city of Minot and Afton and Harrison townships in Ward County bound by a line commencing at the intersection of the centerline of the Burlington Northern Santa Fe Railway right of way and the centerline of north Broadway, thence south on Broadway until its intersection with the centerline of Burdick expressway, thence east on Burdick expressway until its intersection with the centerline of third street, thence south on third street until its intersection with the centerline of eleventh avenue southeast, thence east on eleventh avenue southeast until its intersection with the centerline of seventh street, thence south on an extended line from seventh street until its intersection with the centerline of sixteenth avenue southeast, thence east on sixteenth avenue southeast until its intersection with the centerline of thirteenth street, thence south on thirteenth street until its intersection with the centerline of United States Highway 52, thence west on United States Highway 52 until its intersection with the centerline of United States Highway 83, thence south on United States Highway 83 until its intersection with the north boundary of Afton Township and the Minot city limit, thence west following the

city limit until its intersection with the centerline of thirtieth street, thence north on thirtieth street until its intersection with the centerline of twentieth avenue, thence west on twentieth avenue until its intersection with the centerline of thirty-third street, thence north on thirty-third street until its intersection with the centerline of United States highway 2, thence east on United States highway 2 until its intersection with the centerline of United States highway 83 bypass, thence north on the United States highway 83 bypass until its intersection with the centerline of central avenue, thence east on central avenue until its intersection with the centerline of sixteenth street, thence south on sixteenth street until its intersection with the centerline of the Canadian pacific railway right of way, thence east on the Canadian pacific railway right of way until its intersection with the centerline of maple street, thence north on maple street until its intersection with the centerline of second avenue, thence east on second avenue until its intersection with the centerline of seventh street, thence north on seventh street until its intersection with the centerline of central avenue, thence east on central avenue until its intersection with the centerline of sixth street, thence south on sixth street until its intersection with the centerline of the burlington northern santa fe railway right of way, thence north and east on the burlington northern santa fe railway right of way to the point of beginning.

6. District 6 consists of all of Bottineau County and Renville County; and Denmark, Elmdale, Kenmare, Spencer, Baden, Sauk Prairie, Greenbush, Carbondale, Ree, Carpio, Passport, Berthold, Mayland, Saint Marys, Foxholm, Rolling Green, Burt, Des Lacs, Mandan, Evergreen, Tolgen, and Shealy townships in Ward County.
7. District 7 consists of all of McHenry County and Pierce County; all of Sheridan County except that portion contained in District 14; and all of Benson County except that portion contained in District 23.
8. District 8 consists of Andrews, Otis, Butte, Dogden, Greatstone, Horseshoe Valley, Aurena, Byersville, Snow, Malcolm, Medicine Hill, Wise, Lake Williams, Turtle Lake, Victoria, Longfellow, and Mercer townships in McLean County; south McLean unorganized township in McLean County including the city of Washburn; all of the city of Wilton in McLean County; Underwood unorganized township including the cities of Riverdale and Underwood in McLean County; east McLean unorganized township in McLean County; Painted Woods, Glenview, Naughton, and Gibbs townships in Burleigh County; and that part of Burnt Creek-Riverview unorganized township, Hay Creek Township, and Apple Creek Township in Burleigh County and the city of Bismarck bound by a line commencing at the intersection of the centerline of United States highway 83 and the north boundary of Burnt Creek-Riverview unorganized township, thence south on United States highway 83 until its intersection with the centerline of interstate highway 94, thence east on interstate highway 94 until its intersection with the centerline of Bismarck expressway, thence south on Bismarck expressway until its intersection with the centerline of main avenue, thence east on main avenue until its intersection with the centerline of fifty-second street, thence south on fifty-second street and an extended straight line until its intersection with the centerline of Lincoln road, thence east on Lincoln road until its intersection with the east boundary of Apple Creek Township, thence north on the east boundary of Apple Creek Township, the east boundary of Gibbs Township, and the east boundary of Naughton Township to the northeast corner of Naughton Township, thence west on the north boundary of Naughton Township and Burnt Creek-Riverview unorganized township to the point of beginning.
9. District 9 consists of Rolette County.
10. District 10 consists of Cavalier County; all of Towner County except that portion contained in District 15; and all of Pembina County except that portion contained in District 16.

11. District 11 consists of that part of the city of Fargo in Cass County bound by a line commencing at the intersection of an extended line from the centerline of tenth avenue south and the centerline of the Red River, thence west on tenth avenue south until its intersection with the centerline of fifth street, thence north on fifth street until its intersection with the centerline of tenth avenue south, thence west on tenth avenue south until its intersection with the centerline of United States highway 81, thence north on United States highway 81 until its intersection with the centerline of ninth avenue south, thence west on ninth avenue south until its intersection with the centerline of Cass County drain number three, thence north on Cass County drain number three until its intersection with the centerline of fifth avenue south, thence west on fifth avenue south and an extended straight line until its intersection with the centerline of interstate highway 29, thence south on interstate highway 29 until its intersection with the centerline of thirteenth avenue south, thence east on thirteenth avenue south until its intersection with the centerline of thirty-fourth street, thence south on thirty-fourth street until its intersection with the centerline of fifteenth avenue south, thence east on fifteenth avenue south until its intersection with the centerline of thirty-second street, thence south on thirty-second street until its intersection with the centerline of seventeenth avenue south, thence east on seventeenth avenue south until its intersection with the centerline of twenty-fifth street, thence south on twenty-fifth street until its intersection with the centerline of interstate highway 94, thence east on interstate highway 94 until its intersection with the centerline of the Red River, thence north on the Red River to the point of beginning.
12. District 12 consists of that part of the city of Jamestown and Bloom and Woodbury townships in Stutsman County bound by a line commencing at the intersection of the centerline of United States highway 281 and the centerline of Louis L'Amour drive, thence north and east on United States highway 281 until its intersection with the centerline of the James River, thence west and north on the James River until its intersection with the centerline of the Pipestem Creek, thence north and west on the Pipestem Creek until its intersection with the Jamestown city limit and the centerline of eighty-second avenue, thence north, east, and south following the city limit until the city limit intersects the centerline of twenty-seventh avenue, thence south on twenty-seventh avenue until its intersection with the centerline of fifth street, thence east on fifth street and following the city limit east and south until its intersection with the centerline of fourth street, thence west on fourth street until its intersection with the centerline of twenty-seventh avenue, thence south on twenty-seventh avenue and an extended straight line and eighty-fifth avenue, also identified as Stutsman County 39, until its intersection with the centerline of thirty-seventh street, thence west on thirty-seventh street until its intersection with the centerline of eighty-fourth avenue, thence north on eighty-fourth avenue and an extended straight line until its intersection with the centerline of interstate highway 94, thence west on interstate highway 94 until its intersection with the extended centerline of fourth avenue, thence north on that line and fourth avenue until its intersection with the centerline of Louis L'Amour drive, thence west on Louis L'Amour drive to the point of beginning.
13. District 13 consists of that part of Barnes and Mapleton townships and the city of West Fargo in Cass County bound by a line commencing at the intersection of the centerline of main avenue and the centerline of seventeenth street, thence west on main avenue until its intersection with the centerline of center street, also known as state highway 294, thence north on center street until its intersection with the centerline of twelfth avenue north, thence west on twelfth avenue north and thirty-sixth avenue until its intersection with the centerline of thirty-eighth street, thence south on thirty-eighth street until its intersection with the centerline of thirty-eighth avenue, thence east and south on thirty-eighth avenue following township roads until its intersection with the east boundary of Mapleton Township, thence south on a straight line following the east boundary of Mapleton Township until its intersection with the centerline of twentieth avenue south, thence east on twentieth avenue south and an extended straight line until its intersection with the

centerline of interstate highway 94, thence east on interstate highway 94 until its intersection with the east boundary of the West Fargo city limit, thence north following the city limit and seventeenth street to the point of beginning.

14. District 14 consists of all of Wells County and Kidder County; Pickard, McClusky, Denhoff, Goodrich, Edgemont, and Mauch townships in Sheridan County; South Sheridan unorganized township in Sheridan County; and all of Burleigh County except those portions contained in Districts 8, 30, 32, 35, and 47.
15. District 15 consists of all of Ramsey County; and Atkins, Bethel, Cando, Coolin, Maza, Olson, Springfield, and Zion townships in Towner County.
16. District 16 consists of Walsh County; and Drayton and Lincoln townships in Pembina County.
17. District 17 consists of all of Brenna Township in Grand Forks County; and that part of Grand Forks Township and that part of the city of Grand Forks in Grand Forks County bound by a line commencing at the intersection of an extended straight line of the centerline of lanark avenue and the centerline of the Red River, thence southwest on lanark avenue until its intersection with the centerline of Lincoln drive, thence west on Lincoln drive and eighth avenue south until the intersection of the centerline of eighth avenue south and the centerline of belmont road, thence south on belmont road until its intersection with the centerline of tenth avenue south, thence west on tenth avenue south until its intersection with the centerline of Washington street, thence south on Washington street until its intersection with the centerline of thirty-second avenue south, thence west on thirty-second avenue south until its intersection with the centerline of forty-second street, thence north on forty-second street until its intersection with the centerline of the burlington northern santa fe railway right of way, thence west on the burlington northern santa fe railway right of way until its intersection with the centerline of fifty-fifth street, thence north on fifty-fifth street until its intersection with the centerline of gateway drive, thence west on gateway drive and United States highway 2 until its intersection with the northwest corner of Brenna Township, thence south on the west boundary of Brenna Township to the southwest corner of Brenna Township, thence east on the south boundary of Brenna Township and the south boundary of Grand Forks Township to the centerline of the Red River, thence north on the Red River to the point of beginning.
18. District 18 consists of Blooming, Falconer, and Rye townships in Grand Forks County; and that portion of the city of Grand Forks and Mekinock Township in Grand Forks County bound by a line commencing at the intersection of an extended straight line of the centerline of lanark avenue and the centerline of the Red River, thence southwest on lanark avenue until its intersection with the centerline of Lincoln drive, thence west on Lincoln drive and eighth avenue south until the intersection of the centerline of eighth avenue south and the centerline of belmont road, thence south on belmont road until its intersection with the centerline of tenth avenue south, thence west on tenth avenue south until its intersection with the centerline of Washington street, thence south on Washington street until its intersection with the centerline of library circle, thence west and northwest on library circle until its intersection with the centerline of twentieth avenue south, thence west on twentieth avenue south until its intersection with the centerline of twentieth street, thence north on twentieth street and an extended straight line until its intersection with the centerline of the burlington northern santa fe railway right of way, thence east on the burlington northern santa fe railway right of way until its intersection with the centerline of Washington street, thence north on Washington street until its intersection with the centerline of sixth avenue north, thence west on sixth avenue north until its intersection with the centerline of twentieth street, thence north on twentieth street until its intersection with the centerline of gateway drive, thence west on gateway drive and United States highway 2 until its intersection with the south

entrance of the Grand Forks air force base, known as Eielson Street, thence north on Eielson Street until its intersection with the centerline of Seventh Avenue, thence east on Seventh Avenue until the extended centerline of Seventh Avenue intersects with the centerline of J Street, thence south on J Street until its intersection with the centerline of Juniper Avenue, thence east on Juniper Avenue until its extended centerline intersects the west boundary of Blooming Township, thence north on the west boundary of Blooming Township to the northwest corner of Blooming Township, thence east on the north boundary of Blooming Township, Rye Township, and Falconer Township to the centerline of the Red River, thence south on the Red River to the point of beginning.

19. District 19 consists of all of Grand Forks County except those portions contained in Districts 17, 18, 42, and 43.
20. District 20 consists of all of Traill County; all of Steele County except that portion contained in District 23; Dazey, Sibley Trail, Baldwin, Ellsburly, Rogers, Ashtabula, Grand Prairie, Minnie Lake, Stewart, Getchell, Noltimier, Weimer, Alta, Oriska, Cuba, Springvale, Norma, Binghampton, Raritan, and Thordenskjold townships in Barnes County; and Page, Dows, Hunter, Bell, Kinyon, Noble, Gardner, and Wisner townships in Cass County.
21. District 21 consists of that part of the city of Fargo in Cass County bound by a line commencing at the intersection of an extended line from the centerline of Tenth Avenue South and the centerline of the Red River, thence west on Tenth Avenue South until its intersection with the centerline of Fifth Street, thence north on Fifth Street until its intersection with the centerline of Tenth Avenue South, thence west on Tenth Avenue South until its intersection with the centerline of United States Highway 81, thence north on United States Highway 81 until its intersection with the centerline of Ninth Avenue South, thence west on Ninth Avenue South until its intersection with the centerline of Cass County Drain Number Three, thence north on Cass County Drain Number Three until its intersection with the centerline of Fifth Avenue South, thence west on Fifth Avenue South and an extended straight line until its intersection with the centerline of Interstate Highway 29, thence north on Interstate Highway 29 until its intersection with the centerline of Twelfth Avenue North, thence east on Twelfth Avenue North until its intersection with the centerline of United States Highway 81, thence south on United States Highway 81 until its intersection with the centerline of the Burlington Northern Santa Fe Railway Right of Way, thence east on the Burlington Northern Santa Fe Railway Right of Way until its intersection with the centerline of Eleventh Street, thence north on Eleventh Street until its intersection with the centerline of Sixth Avenue North, thence east on Sixth Avenue North until its intersection with the centerline of Broadway, thence north on Broadway until its intersection with the centerline of Seventh Avenue North, thence east on Seventh Avenue North until its intersection with the centerline of Second Street, thence south on Second Street until its intersection with the centerline of the Burlington Northern Santa Fe Railway Right of Way, thence east on the Burlington Northern Santa Fe Railway Right of Way until its intersection with the centerline of the Red River, thence south on the Red River to the point of beginning.
22. District 22 consists of all of Cass County except those portions contained in Districts 11, 13, 20, 21, 27, 41, 44, 45, and 46.
23. District 23 consists of all of Griggs County and Nelson County; all of Eddy County except that portion contained in District 29; West Bay, Lallie, Oberon, Rock, Twin Tree, Mission, Wood Lake, Lohnes, Warwick, and Minco townships in Benson County; Lallie North unorganized township and Fort Totten unorganized township in Benson County; and Sharon, Westfield, Beaver Creek, Franklin, and Finley townships in Steele County.

24. District 24 consists of all of Barnes County except that portion contained in District 20; that part of the city of Enderlin in Ransom County; and Fort Ransom, Moore, Northland, Preston, Liberty, Springer, Tuller, Hanson, Elliott, and Island Park townships in Ransom County.
25. District 25 consists of Walcott, Eagle, Colfax, Abercrombie, Ibsen, Dwight, Mooreton, Center, Brandenburg, Summit, Waldo, De Villo, Fairmount, Greendale, and LaMars townships in Richland County and the city of Hankinson in Richland County.
26. District 26 consists of all of Sargent County; that part of Richland County not contained in District 25; that part of Ransom County not contained in District 24; Dean, Ovid, and Ryan townships in LaMoure County; and Porter, Wright, James River Valley, Divide, Maple, Yorktown, Clement, Bear Creek, Kentner, Kent, Hudson, Riverdale, Van Meter, Ada, Port Emma, and Lovell townships in Dickey County.
27. District 27 consists of all of the city of Frontier and the city of Briarwood in Cass County; and that part of Barnes and Stanley townships and that part of the city of Fargo and the city of West Fargo in Cass County bound by a line commencing at the intersection of an extended straight line of the centerline of fifty-second avenue south and the centerline of the Red River, thence west on fifty-second avenue south until its intersection with the centerline of United States highway 81, thence south on United States highway 81 until its intersection with the centerline of sixty-fourth avenue south, thence west on sixty-fourth avenue south until its intersection with the centerline of Cass County drain number fifty-three, thence north on Cass County drain number fifty-three until its intersection with the centerline of fifty-second avenue south, thence west on fifty-second avenue south until its intersection with the centerline of interstate highway 29, thence north on interstate highway 29 until its intersection with the centerline of an extended straight line from seventeenth avenue south, thence east on that line and seventeenth avenue south until its intersection with the centerline of thirty-second street, thence north on thirty-second street until its intersection with the centerline of fifteenth avenue south, thence west on fifteenth avenue south until its intersection with the centerline of thirty-fourth street, thence north on thirty-fourth street until its intersection with the centerline of thirteenth avenue south, thence west on thirteenth avenue south until its intersection with the centerline of interstate highway 29, thence north on interstate highway 29 until its intersection with the centerline of main avenue, thence west on main avenue until its intersection with the centerline of seventeenth street in West Fargo, thence south on seventeenth street and an extended straight line in West Fargo and Fargo until its intersection with the centerline of interstate highway 94, thence west on interstate highway 94 until its intersection with the extended centerline of fifty-seventh street, thence south on fifty-seventh street until its intersection with the centerline of eighty-eighth avenue, thence east on eighty-eighth avenue until its intersection with the centerline of United States highway 81, thence north on United States highway 81 until its intersection with the centerline of seventy-sixth avenue, thence east on seventy-sixth avenue and an extended straight line until its intersection with the centerline of the Red River, thence north on the Red River to the point of beginning.
28. District 28 consists of all of Emmons County, Logan County, and McIntosh County; Glen, Mikkelson, Kennison, Raney, Bluebird, Glenmore, Swede, Ray, Nora, Norden, Pomona View, and Golden Glen townships in LaMoure County; and all of Dickey County except that portion contained in District 26.
29. District 29 consists of all of Foster County; all of LaMoure County except that portion contained in Districts 26 and 28; Rosefield, Superior, Pleasant Prairie, Columbia, Cherry Lake, and Paradise townships in Eddy County; and all of Stutsman County except that portion contained in District 12.

30. District 30 consists of that portion of the city of Bismarck, the city of Lincoln, and Lincoln-Fort Rice unorganized township in Burleigh County bound by a line commencing at the centerline of main avenue and the centerline of ninth street, thence east on main avenue until its intersection with the centerline of twelfth street, thence south on twelfth street until its intersection with the centerline of front avenue, thence east on front avenue until its intersection with the centerline of sixteenth street, thence south on sixteenth street until its intersection with the centerline of bowen avenue, thence east on bowen avenue until its intersection with the centerline of seventeenth street, thence south on seventeenth street until its intersection with the centerline of Michigan avenue, thence east on Michigan avenue until its intersection with the centerline of seventeenth street, thence south on seventeenth street and an extended straight line until its intersection with the centerline of Bismarck expressway, thence east on Bismarck expressway until its intersection with the centerline of airport road, thence south on airport road until its intersection with the centerline of university drive, thence west on university drive until its intersection with the centerline of south twelfth street, thence south on south twelfth street until its intersection with the centerline of Burleigh avenue, thence west on Burleigh avenue until its intersection with the centerline of Washington street, thence north on Washington street until its intersection with the southeast corner of the northeast quarter of section 8 of Township 138-80, thence west on a straight line following the quarter section line to the southwest corner of the northeast quarter of section 8 of Township 138-80, thence north on a straight line following the quarter section line until its intersection with the centerline of Bismarck expressway, thence west on Bismarck expressway until its intersection with the centerline of the Missouri River, thence south on the Missouri River until its intersection with the centerline of an extended line from fifty-second street, thence north on fifty-second street and an extended straight line until its intersection with the centerline of main avenue, also known as old highway 10, thence west on main avenue until its intersection with the centerline of Bismarck expressway, thence north on Bismarck expressway until its intersection with the centerline of divide avenue, thence west, south, and west on divide avenue until its intersection with the centerline of twenty-sixth street, thence south on twenty-sixth street until its intersection with the centerline of boulevard avenue, thence west on boulevard avenue until its intersection with the centerline of twelfth street, thence south on twelfth street until its intersection with the centerline of east avenue e, thence west on east avenue e until its intersection with the centerline of ninth street, thence south on ninth street to the point of beginning.
31. District 31 consists of all of Grant County and Sioux County; all of Hettinger County except that portion contained in District 36; and that part of the city of Mandan and Morton County bound by a line commencing at the intersection of the east boundary of Township 139-84 and the centerline of interstate highway 94, thence east on interstate highway 94 until its intersection with the centerline of an extended straight line from twenty-fifth avenue in Mandan unorganized township, thence north on twenty-fifth avenue until its intersection with the centerline of thirty-seventh street, thence east on thirty-seventh street until its intersection with the centerline of highland road, thence south on highland road until its intersection with the Mandan city limit, thence south and east on the city limit until its intersection with the centerline of the Missouri River, thence south on the Missouri River until its intersection with the centerline of business interstate highway 94, thence north and west on business interstate highway 94 until its intersection with the centerline of main avenue, thence east on main avenue until its intersection with the centerline of the burlington northern santa fe railway right of way, thence north on the burlington northern santa fe railway right of way until its intersection with the extended centerline of fourth street, thence west on the extended centerline of fourth street until its intersection with the centerline of Mandan avenue, thence north and west on Mandan avenue until its intersection with the centerline of interstate highway 94, thence west on interstate highway 94 until its intersection with the Mandan city limit, thence following the city limit south and east until the city limit intersects the centerline of business interstate highway 94, thence west on business interstate

highway 94 until its intersection with the centerline of fifteenth avenue, thence south on fifteenth avenue and continuing south on sixteenth avenue until its intersection with the centerline of third street, thence west on third street to the west boundary of the youth correctional center, thence south on the west boundary of the youth correctional center to the south boundary of the youth correctional center, thence east on the south boundary of the youth correctional center until its intersection with the Mandan city limit, thence following the city limit south, east, and north until the city limit intersects the centerline of nineteenth street, thence east on nineteenth street until it intersects the centerline of Fort McKeen road, thence south on Fort McKeen road and state highway 1806 until its intersection with the centerline of county road 138A, thence east on county road 138A and an extended line until its intersection with the centerline of the Missouri River, thence south on the Missouri River to the south boundary of Morton County, thence following the Morton County line west, south, and north until its intersection with the southwest corner of section 33 of Township 137-84, thence east along the south boundaries of sections 33 and 34, thence north along the east boundaries of sections 34 and 27, thence east along the south boundaries of sections 23 and 24, thence north along the east boundaries of Townships 137-84, 138-84, and 139-84, to the point of beginning.

32. District 32 consists of that part of the city of Bismarck and Lincoln-Fort Rice unorganized township in Burleigh County bound by a line commencing at the centerline of main avenue and the centerline of ninth street, thence east on main avenue until its intersection with the centerline of twelfth street, thence south on twelfth street until its intersection with the centerline of front avenue, thence east on front avenue until its intersection with the centerline of sixteenth street, thence south on sixteenth street until its intersection with the centerline of bowen avenue, thence east on bowen avenue until its intersection with the centerline of seventeenth street, thence south on seventeenth street until its intersection with the centerline of Michigan avenue, thence east on Michigan avenue until its intersection with the centerline of seventeenth street, thence south on seventeenth street and an extended straight line until its intersection with the centerline of Bismarck expressway, thence east on Bismarck expressway until its intersection with the centerline of airport road, thence south on airport road until its intersection with the centerline of university drive, thence west on university drive until its intersection with the centerline of south twelfth street, thence south on south twelfth street until its intersection with the centerline of Burleigh avenue, thence west on Burleigh avenue until its intersection with the centerline of Washington street, thence north on Washington street until its intersection with the southeast corner of the northeast quarter of section 8 of Township 138-80, thence west on a straight line following the quarter section line to the southwest corner of the northeast quarter of section 8 of Township 138-80, thence north on a straight line following the quarter section line until its intersection with the centerline of Bismarck expressway, thence west on Bismarck expressway until its intersection with the centerline of the Missouri River, thence north on the Missouri River until its intersection with the centerline of main avenue, thence east on main avenue until its intersection with the centerline of Rosser avenue, thence east on Rosser avenue until its intersection with the centerline of bell street, thence north on bell street until its intersection with the centerline of avenue c, thence east on avenue c until its intersection with the centerline of Griffin street, thence north on Griffin street and an extended straight line until its intersection with the Bismarck park district bike trail, thence east on the Bismarck park district bike trail and an extended straight line until its intersection with the centerline of Washington street, thence south on Washington street until its intersection with the centerline of west avenue c, thence east on west avenue c until its intersection with the centerline of first street, thence south on first street until its intersection with the centerline of main avenue, thence east on main avenue to the point of beginning.

33. District 33 consists of all of Oliver County; all of Mercer County except that portion contained in District 4; and all of Morton County except that portion contained in Districts 31, 34, and 36.
34. District 34 consists of that portion of the city of Mandan and that part of Mandan unorganized township bound by a line commencing at the intersection of the centerline of business interstate highway 94 and the centerline of fifteenth avenue, thence south on fifteenth avenue and continuing south on sixteenth avenue until its intersection with the centerline of third street, thence west on third street to the west boundary of the youth correctional center, thence south on the west boundary of the youth correctional center to the south boundary of the youth correctional center, thence east on the south boundary of the youth correctional center until its intersection with the Mandan city limit, thence south, east, and north following the Mandan city limit until the city limit intersects the centerline of nineteenth street near the intersection of fourteenth avenue and nineteenth street, thence east on nineteenth street until its intersection with the centerline of Fort McKeen road, thence south and east on Fort McKeen road and state highway 1806 until its intersection with the centerline of county highway 138A, thence east on county road 138A and an extended straight line until its intersection with the centerline of the Missouri River, thence north on the Missouri River until its intersection with the centerline of business interstate highway 94, thence north and west on business interstate highway 94 until its intersection with the centerline of main street, thence east on main street until its intersection with the centerline of the Burlington Northern Santa Fe Railway right of way, thence north on the Burlington Northern Santa Fe Railway right of way until its intersection with the centerline of fourth street, thence west on the extended centerline of fourth street until its intersection with the centerline of Mandan Avenue, thence north and west on Mandan Avenue until its intersection with the centerline of interstate highway 94, thence west on interstate highway 94 until its intersection with the Mandan city limit, thence south, west, and east following the Mandan city limit until its intersection with the centerline of business interstate highway 94, thence west on business interstate highway 94 to the point of beginning.
35. District 35 consists of that part of the city of Bismarck and that part of Hay Creek Township in Burleigh County bound by a line commencing at the intersection of the centerline of main avenue and the centerline of ninth street, thence west on main avenue until its intersection with the centerline of first street, thence north on first street until its intersection with the centerline of Avenue C, thence west on Avenue C until its intersection with the centerline of Washington Street, thence north on Washington Street until its intersection with the extended centerline of the Bismarck Park District Bike Trail, thence west on the Bismarck Park District Bike Trail until its intersection with the extended centerline of Griffin Street, thence south on Griffin Street until its intersection with the centerline of Avenue C, thence west on Avenue C until its intersection with the centerline of Bell Street, thence south on Bell Street until its intersection with the centerline of Rosser Avenue, thence west on Rosser Avenue until its intersection with the centerline of main avenue, thence west on main avenue until its intersection with the centerline of the Missouri River, thence north on the Missouri River until its intersection with the centerline of interstate highway 94, thence east on interstate highway 94 until its intersection with the centerline of Divide Avenue, thence south and east on Divide Avenue until its intersection with the centerline of fourth street, thence north on fourth street until its intersection with the centerline of interstate highway 94, thence east on interstate highway 94 until its intersection with the centerline of Bismarck Expressway, thence south on Bismarck Expressway until its intersection with the centerline of Divide Avenue, thence west, south, and west on Divide Avenue until its intersection with the centerline of Twenty-Sixth Street, thence south on Twenty-Sixth Street until its intersection with the centerline of Boulevard Avenue, thence west on Boulevard Avenue until its intersection with the centerline of Twelfth Street, thence south on Twelfth Street until its intersection with the centerline of East Avenue E, thence west on East Avenue E until

its intersection with the centerline of ninth street, thence south on ninth street to the point of beginning.

36. District 36 consists of all of Stark County except that portion contained in District 37; all of Dunn County except that portion contained in District 4; Kunze, Clark, New England, Havelock, Strehlow, Tepee Butte, Kennedy, and Wagendorf townships in Hettinger County; and that portion of Morton County bound by a line commencing at the intersection of the centerline of state highway 49 and the north boundary of Morton County, thence west on the Morton County line to the west boundary of Morton County, thence south on the west boundary of Morton County to the south boundary of Morton County, thence east on the south boundary of Morton County and continuing east on an extended centerline of forty-eighth street until its intersection with the centerline of county road 87, thence north on county road 87 until its intersection with the southwest corner of section 8 of Township 138-87, thence east along the south boundary of section 8 of Township 138-87 to the southeast corner of section 8, thence north along the east boundaries of sections 8 and 5 of Township 138-87 to the southwest corner of section 33 of Township 139-87, thence east along the south boundaries of sections 33 and 34 to the southwest corner of section 35 of Township 139-87, thence south along the west boundary of section 2 of Township 138-87 to the southwest corner of section 2, thence east along the south boundary of section 2 to the midpoint of that section, thence north through the center of section 2 to the midpoint of the north boundary of section 2, thence east along the north boundary of section 2 to the northeast corner of section 2, thence north along the west boundaries of sections 36, 25, and 24 of Township 139-87 to the northwest corner of section 24, thence east along the north boundary of section 24 to the northeast corner of section 24, thence north along the east boundary of section 13 of Township 139-87 to the centerline of interstate highway 94, thence east on interstate highway 94 to its intersection with the centerline of state highway 86, thence north on state highway 86 to the north boundary of Morton County, thence west along the north boundary of Morton County to the point of beginning.
37. District 37 consists of that part of the city of Dickinson and adjacent unorganized territory in Stark County bound by a line commencing at the intersection of the centerline of Broadway and the centerline of state avenue, thence north on state avenue until its intersection with the centerline of business interstate highway 94, thence west and north on business interstate highway 94 until its intersection with the centerline of interstate highway 94, thence east on interstate highway 94 until its intersection with the centerline of state avenue, thence north on state avenue until its intersection with the centerline of thirty-fourth street, thence east on thirty-fourth street until its intersection with the centerline of tenth avenue east, thence south on tenth avenue east until its intersection with the centerline of interstate highway 94, thence east on interstate highway 94 until its intersection with the centerline of twenty-fifth avenue, thence south on twenty-fifth avenue until its intersection with the centerline of Villard street, thence west on Villard street until its intersection with the centerline of tenth avenue east, thence south on tenth avenue east until its intersection with the centerline of the Burlington Northern Santa Fe Railway right of way, thence west on the Burlington Northern Santa Fe Railway right of way until its intersection with the centerline of fourth avenue east, thence south on fourth avenue east and an extended straight line until its intersection with the centerline of the Heart River, thence south and west on the Heart River until its intersection with the extended centerline of state avenue, thence north on state avenue to the point of beginning.
38. District 38 consists of all of Burlington and Kirkelie townships in Ward County; all of Afton Township in Ward County except that part west of United States highway 83 contained within the city limits of Minot; and those portions of Eureka, Harrison, and Waterford townships and that part of the city of Minot not contained in Districts 3, 5, and 40.

39. District 39 consists of all of Adams County, Billings County, Bowman County, Golden Valley County, and Slope County; and all of McKenzie County except that portion contained in District 4.
40. District 40 consists of all of Tatman Township and those portions of Eureka, Harrison, and Nedrose townships and that part of the city of Minot bound by a line commencing at the intersection of the centerline of the Canadian pacific railway right of way and the centerline of sixth street, thence north on sixth street until its intersection with the centerline of central avenue, thence west on central avenue until its intersection with the centerline of eighth street, thence north on eighth street until its intersection with the centerline of seventh avenue, thence west on seventh avenue until its intersection with the centerline of sixteenth street, thence north on sixteenth street until its intersection with the centerline of twenty-first avenue, thence west on twenty-first avenue until its intersection with the centerline of thirtieth street in Harrison Township, thence north on thirtieth street continuing through Eureka Township to the south boundary of Waterford Township, also identified as one hundred twenty-eighth avenue, thence east on the south boundary of Waterford Township to the east boundary of Waterford Township, also identified as sixteenth street, thence north on the east boundary of Waterford Township and sixteenth street until its intersection with the centerline of bomber avenue, thence northwest on bomber avenue until its intersection with the centerline of peacekeeper, thence northeast on peacekeeper until its intersection with the east boundary of Waterford Township, thence north on the east boundary of Waterford Township to the northwest corner of Tatman Township, thence on a line east, south, and west around Tatman Township until its intersection with the northeast corner of Eureka Township, thence south on the east boundary of Eureka Township to the southeast corner of Eureka Township, also identified as forty-sixth avenue, thence east on forty-sixth avenue until its intersection with the centerline of twenty-seventh street, thence south on twenty-seventh street until its intersection with an extended line from the centerline of nineteenth avenue, thence west on nineteenth avenue until its intersection with the centerline of third street, thence north and west on third street until its intersection with the centerline of airport road, thence north and west on airport road until its intersection with the centerline of nineteenth avenue, thence west on nineteenth avenue north until its intersection with the centerline of Broadway, thence south on Broadway until its intersection with the centerline of the Burlington Northern Santa Fe Railway right of way, thence south and west on the Burlington Northern Santa Fe Railway right of way until its intersection with the centerline of the Canadian Pacific Railway right of way, thence west on the Canadian Pacific Railway right of way to the point of beginning.
41. District 41 consists of the city of Prairie Rose and that part of the city of Fargo, Barnes Township, and Stanley Township in Cass County bound by a line commencing at the intersection of the centerline of interstate highway 29 and the centerline of fifty-second avenue south, thence east on fifty-second avenue south until its intersection with the centerline of twenty-fifth street, thence north on twenty-fifth street until its intersection with the centerline of twenty-seventh avenue south, thence east on twenty-seventh avenue south until its intersection with the centerline of eighteenth street, thence north on eighteenth street until its intersection with the centerline of twenty-fifth avenue, thence east on twenty-fifth avenue until its intersection with the centerline of seventeenth street, thence north on seventeenth street and an extended straight line until its intersection with the centerline of interstate highway 94, thence west on interstate highway 94 until its intersection with the centerline of twenty-fifth street, thence north on twenty-fifth street until its intersection with the centerline of seventeenth avenue south, thence west on seventeenth avenue south and an extended straight line until its intersection with the centerline of interstate highway 29, thence south on interstate highway 29 to the point of beginning.

42. District 42 consists of that part of the city of Grand Forks in Grand Forks County bound by a line commencing at the intersection of the centerline of gateway drive and the centerline of fifty-fifth street, thence east on gateway drive until its intersection with the centerline of twentieth street, thence south on twentieth street until its intersection with the centerline of sixth avenue north, thence east on sixth avenue north until its intersection with the centerline of Washington street, thence south on Washington street until its intersection with the centerline of the burlington northern santa fe railway right of way, thence west on the burlington northern santa fe railway right of way until its intersection with the centerline of fifty-fifth street, thence north on fifty-fifth street to the point of beginning.
43. District 43 consists of that part of Grand Forks Township and that part of the city of Grand Forks in Grand Forks County bound by a line commencing at the intersection of the centerline of Washington street and the centerline of thirty-second avenue south, thence west on thirty-second avenue south until its intersection with the centerline of forty-second street, thence north on forty-second street until its intersection with the centerline of the burlington northern santa fe railway right of way, thence east on the burlington northern santa fe railway right of way until its intersection with an extended line from the centerline of twentieth street, thence south on twentieth street until its intersection with the centerline of twentieth avenue south, thence east on twentieth avenue south until its intersection with the centerline of library circle, thence south and east on library circle until its intersection with the centerline of Washington street, thence south on Washington street to the point of beginning.
44. District 44 consists of that part of the city of Fargo in Cass County bound by a line commencing at the intersection of an extended line from the centerline of thirty-second avenue north and the centerline of the Red River, thence west on thirty-second avenue north until its intersection with the centerline of Broadway, thence south on Broadway until its intersection with the centerline of twenty-fifth avenue north, thence west on twenty-fifth avenue north until its intersection with the centerline of eighth street, thence south on eighth street until its intersection with the centerline of nineteenth avenue north, thence east on nineteenth avenue north until its intersection with the centerline of Broadway, thence south on Broadway until its intersection with the centerline of seventeenth avenue north, thence west on seventeenth avenue north until its intersection with the centerline of eighth street, thence south on eighth street until its intersection with the centerline of twelfth avenue north, thence west on twelfth avenue north until its intersection with the centerline of United States highway 81, also known as university drive, thence south on university drive until its intersection with the centerline of the burlington northern santa fe railway right of way, thence east on the burlington northern santa fe railway right of way until its intersection with the centerline of eleventh street, thence north on eleventh street until its intersection with the centerline of sixth avenue north, thence east on sixth avenue north until its intersection with the centerline of Broadway, thence north on Broadway until its intersection with the centerline of seventh avenue north, thence east on seventh avenue north until its intersection with the centerline of second street, thence south on second street until its intersection with the centerline of the burlington northern santa fe railway right of way, thence east on the burlington northern santa fe railway right of way until its intersection with the centerline of the Red River, thence north on the Red River to the point of beginning.
45. District 45 consists of the city of North River, the city of Harwood, and the city of Reile's Acres; and that part of the city of Fargo, Fargo Township, Harwood Township, and Reed Township bound by a line commencing at the intersection of the extended centerline of thirty-second avenue north and the centerline of the Red River, thence west on thirty-second avenue north until its intersection with the centerline of Broadway, thence south on Broadway until its intersection with the centerline of twenty-fifth avenue north, thence west on twenty-fifth avenue north until

its intersection with the centerline of eighth street, thence south on eighth street until its intersection with the centerline of nineteenth avenue north, thence east on nineteenth avenue north until its intersection with the centerline of Broadway, thence south on Broadway until its intersection with the centerline of seventeenth avenue north, thence west on seventeenth avenue north until its intersection with the centerline of eighth street, thence south on eighth street until its intersection with the centerline of twelfth avenue north, thence west on twelfth avenue north until its intersection with the centerline of interstate highway 29, thence north on interstate highway 29 until its intersection with the centerline of the Burlington Northern Santa Fe railway right of way, thence north and west on the Burlington Northern Santa Fe railway right of way until its intersection with the centerline of nineteenth avenue north, thence west on nineteenth avenue north until its intersection with the centerline of the Sheyenne River, thence north on the Sheyenne River until its intersection with the centerline of twenty-seventh street in Harwood Township, thence east on twenty-seventh street and an extended line until its intersection with the centerline of the Red River, thence south on the Red River to the point of beginning.

46. District 46 consists of that part of the city of Fargo and Stanley Township in Cass County bound by a line commencing at the intersection of the extended centerline of fifty-second avenue south and the centerline of the Red River, thence west on fifty-second avenue south until its intersection with the centerline of United States highway 81, thence south on United States highway 81 until its intersection with the centerline of sixty-fourth avenue south, thence west on sixty-fourth avenue south until its intersection with the centerline of Cass County drain number fifty-three, thence north on Cass County drain number fifty-three until its intersection with the centerline of fifty-second avenue south, thence east on fifty-second avenue south until its intersection with the centerline of twenty-fifth street, thence north on twenty-fifth street until its intersection with the centerline of twenty-seventh avenue south, thence east on twenty-seventh avenue south until its intersection with the centerline of eighteenth street, thence north on eighteenth street until its intersection with the centerline of twenty-fifth avenue south, thence east on twenty-fifth avenue south until its intersection with the centerline of seventeenth street, thence north on seventeenth street and an extended straight line until its intersection with the centerline of interstate highway 94, thence east on interstate highway 94 to the centerline of the Red River, thence south on the Red River to the point of beginning.
47. District 47 consists of that part of the city of Bismarck and that part of Hay Creek Township and Burnt Creek-Riverview unorganized township bound by a line commencing at the intersection of the centerline of interstate highway 94 and the centerline of the Missouri River, thence east on interstate highway 94 until its intersection with the centerline of divide avenue, thence south and east on divide avenue until its intersection with the centerline of fourth street, thence north on fourth street until its intersection with the centerline of interstate highway 94, thence east on interstate highway 94 until its intersection with the centerline of United States highway 83, thence north on United States highway 83 until its intersection with the north boundary of Burnt Creek-Riverview unorganized township, thence west on the north boundary of Burnt Creek-Riverview unorganized township until its intersection with the centerline of the Missouri River, thence south on the Missouri River to the point of beginning.

**54-03-02. When legislative assembly meets.**

1. The legislative assembly shall meet at the seat of government in the month of December following the election of the members thereof for organizational and orientation purposes and shall thereafter recess until the time provided in subsection 2.

2. The legislative assembly shall reconvene at twelve noon on the first Tuesday after the third day in January of the year following the organizational session as provided in subsection 1 or at twelve noon on a date selected by the legislative management but not earlier than January second nor later than January eleventh of the year following the organizational session and, following the close of business of the regular session, shall adjourn subject to subsection 3.
3. Notwithstanding a motion to adjourn sine die, the legislative assembly shall reconvene as determined by the legislative management. The number of natural days used may not exceed the number of natural days available under the constitution which have not been previously used by that legislative assembly in regular session under subsection 2.

**54-03-02.1. Definitions.** For the purposes of this chapter and chapter 54-03.1:

1. "Organizational session" means the meeting of the legislative assembly for organizational and orientation purposes held during the month of December in the even-numbered years.
2. "Regular session" means the legislative session commencing in January of the odd-numbered years and includes any reconvened legislative session, as provided in section 54-03-02.

**54-03-03. Secretary of senate and chief clerk of house to receive certifications and to make roll of members - Certificates filed.** At the opening of each organizational session, reconvened session, or special session of the legislative assembly, the secretary of state shall certify to the secretary of the senate and the chief clerk of the house of representatives the respective members to whom certificates of election have been issued or whose appointments have been filed with the secretary of state under applicable provisions of law since the preceding session of the legislative assembly. The secretary of the senate and chief clerk of the house of representatives shall file the certifications and copies of the certificates of election or appointment, and the certifications and copies of the certificates of election or appointment are prima facie evidence of the right to membership in the respective branch of the legislative assembly of the person certified therein. The secretary of state shall also certify to the secretary of the senate and the chief clerk of the house of representatives the respective members who served in the preceding session of the legislative assembly and whose terms have not expired. After the certifications are received, the secretary of the senate and the chief clerk of the house of representatives shall call and make a correct roll of the names of those respective members who have been certified by the secretary of state. The provisions of this section may not be construed to infringe on the right of each house to be the judge of the qualifications of its members.

**54-03-04. Organizational session - Calling to order - Officers - Term of office - Officers and chairmen to remain in office during special session.** The secretary and officers of the senate and chief clerk and officers of the house serving at the close of a regular session, unless otherwise removed, shall remain in office until the first day of the organizational session. On the first day of the organizational session, at a time scheduled by the legislative management pursuant to section 54-03.1-02, the president of the senate and the speaker of the house from the previous session, if reelected, or in the speaker's absence a member of the majority party of the house with seniority based upon terms of service in the house, shall call the members of their respective houses so enrolled to order. In the absence of the president of the senate, the president pro tempore shall call the members of the senate to order. In the absence of both the president of the senate and the president pro tempore, then some member or other person selected by the members present shall call the members of the senate to order. If the speaker of the house from the previous session is not reelected and if no party has a majority in the house, the member of the house with seniority based upon terms of service in the house shall call the house to order. If two or more members of the house are tied for seniority and seniority is a factor in determining who shall call the house to order, the persons so tied for seniority shall draw lots to determine who shall call the house to order. The members of the respective houses then may proceed to the election of the necessary officers. The secretary and officers of the senate

and chief clerk and officers of the house of representatives, and the chairmen of all procedural and substantive standing legislative committees shall continue to serve in those positions during any special legislative session which may be called, except in case of the death, resignation, or removal of one of those persons, whereupon the position must be filled, upon the convening of the special session, in the manner provided by law or legislative rule. Members serving on procedural or substantive standing committees of the senate or house during a regular session shall continue to serve on those committees during any special legislative session which may be called following that regular session.

**54-03-05. Who to administer oath of office to members and officers of the legislative assembly.** The following persons may administer the oath of office to the members and officers of the legislative assembly:

1. The speaker of the house of representatives.
2. The president of the senate.
3. The governor.
4. A judge of the supreme court.
5. A judge of the district court.

**54-03-06. Chairman of committee may administer oath.** Any member of a committee or interim committee of the legislative assembly, while acting as chairman of such committee, may administer oaths to such persons as shall be examined before the committee of which the chairman is a member.

**54-03-07. Qualifications of members - Each house to judge.** If the qualifications of any member of either house of the legislative assembly are challenged, the right of that member to a seat must be determined by the house in which that person claims a seat as a member, except an election contest must be determined in accordance with chapter 16.1-16.

**54-03-08. Selection of officers and employees of legislative assembly.** The senate at the beginning and close of each regular session, and at such other times as may be necessary, shall elect one of its members president pro tempore. The house of representatives shall elect one of its members as speaker. Such other officers and employees as are deemed necessary must be elected or appointed by the respective houses.

**54-03-09. Oath of officers.** The officers of each house of the legislative assembly must be required to take and subscribe the oath prescribed in section 4 of article XI of the Constitution of North Dakota.

**54-03-10. Compensation of speaker, majority and minority leaders, assistant majority and minority leaders, committee chairmen, and employees.** The speaker of the house, the house majority leader, the senate majority leader, the house minority leader, and the senate minority leader shall each receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of ten dollars per day for each calendar day during any regular, special, or organizational session. Chairmen of the substantive standing committees, the house assistant majority leader, the senate assistant majority leader, the house assistant minority leader, and the senate assistant minority leader shall receive additional compensation of five dollars for each calendar day during any regular, special, or organizational session. The additional compensation provided by this section must be paid in the manner provided in section 54-03-20. The legislative assembly, by concurrent resolution, shall fix the compensation of the other officers and employees elected or appointed.

**54-03-11. Payment of legislative costs and expenses - President pro tempore of the senate and speaker of the house jointly approve vouchers.** During any legislative session, the speaker of the house and the president pro tempore of the senate, or persons designated by

the speaker and the president pro tempore, on behalf of the legislative assembly and without further legislative action, jointly shall approve vouchers for payment of compensation, salaries, and other costs of operation and expenses of the legislative assembly, its committees, and its employees within the limits of legislative appropriations.

**54-03-12. Duties of secretary of senate and chief clerk of house.** The secretary of the senate and chief clerk of the house of representatives shall perform the duties required of them by the rules of the senate and the house of representatives, as appropriate.

**54-03-13. Duties of secretary of senate and chief clerk of house after legislative session.** Repealed by S.L. 1991, ch. 565, § 2.

**54-03-14. Removal of officers or employees.** At any time during a session of the legislative assembly, either house by a majority vote may remove from office any officer or employee. In case of the removal of an officer by either house, that officer's place must be filled by an election viva voce. In all elections under the provisions of this chapter for officers of either house of the legislative assembly, a majority of all votes cast is necessary.

**54-03-15. Discharge of officers and employees.** Whenever any officer or employee of the legislative assembly, through neglect or incompetency, fails to discharge the duties of the person's office or position properly, the body of the legislative assembly in which the person is employed shall declare the office or position vacant and fill the vacancy so created.

**54-03-16. Legislative expense - Appropriation.** There is appropriated out of any moneys in the state treasury, as a standing and continuing appropriation, such sum as may be necessary to pay:

1. The mileage and per diem of the members of the legislative assembly;
2. The per diem of officers and employees of the legislative assembly;
3. The expense of investigating committees when authorized by the legislative assembly; and
4. Necessary postage, express, telegrams, telephone, and such other miscellaneous expenses as may be authorized by the legislative assembly, except printing.

**54-03-17. Punishment by each house for offenses.** Each house of the legislative assembly may punish, by imprisonment, as for a contempt, any person who is guilty of one or more of the following offenses:

1. Knowingly arresting a member or officer of the house or procuring such member or officer to be arrested in violation of the member's or officer's privilege from arrest.
2. Disorderly conduct in the immediate view of the house and directly tending to interrupt its proceedings.
3. Refusing to attend and be examined as a witness either before the house, or a committee thereof, or before any person authorized to take testimony in legislative proceedings.
4. Giving or offering a bribe to a member or attempting by menace or other corrupt means or device, directly or indirectly, to control or influence a member in giving the member's vote or to prevent the member giving the same.

The term of imprisonment which such house may impose for any contempt specified in this section may not continue beyond thirty days, nor extend beyond the same session of the legislative assembly.

**54-03-18. Penalty.** Any person who commits any offense punishable under section 54-03-17 is guilty of a class A misdemeanor.

**54-03-19. Seal to be affixed to bills.** Repealed by S.L. 1997, ch. 30, § 4.

**54-03-19.1. Legislative compensation commission - Appointment of members.**

1. The legislative compensation commission shall develop recommendations for a long-term policy on legislative compensation, expense allowance, and insurance benefits, and recommend appropriate levels of compensation, expense allowance, and insurance benefits to be paid to or on behalf of members of the legislative assembly.
2. The governor shall appoint five members to the commission. No more than three appointees may represent the same political party. No member of the commission may hold state office or serve in state government in any capacity at the time of appointment or during service on the commission. The members must be appointed for a term of four years, and the governor shall appoint one of the members chairman of the commission.

**54-03-19.2. Meetings - Powers and duties - Expenses.** The commission shall meet at the call of the chairman as often as may be necessary, but at least once during each biennium. The commission shall determine levels of legislative compensation, expense allowance, and insurance benefits to be paid for service upon interim committees and during legislative sessions, which permit citizens to hold legislative office without undue financial sacrifice or disadvantage. In formulating recommendations, the commission may consult with the leadership of the legislative assembly, and review compensation, expense allowance, and insurance benefits for legislative service in other states and in other areas of state and federal service and private industry. The commission shall report its findings and recommendations regarding legislative compensation policy to the legislative assembly. The commission may file with the legislative council a bill incorporating its recommendations. Members of the legislative compensation commission must be compensated for time spent in attendance at meetings of the commission and for other travel as approved by the chairman of the legislative management at the rate of sixty-two dollars and fifty cents per day and must be reimbursed for their actual and necessary expenses incurred in the same manner as other state officials. The expense allowance must be paid from appropriations then in effect for the legislative assembly. The commission may solicit the assistance of the legislative council to provide information, aid, and assistance in carrying out its duties.

**54-03-20. (Effective through June 30, 2010) Compensation and expense reimbursement of members of the legislative assembly.**

1. Each member of the legislative assembly is entitled to receive as compensation for services the sum of one hundred forty-one dollars for each calendar day during any organizational, special, or regular legislative session and for each day that member attends a meeting of a legislative committee between the organizational session and the regular session as authorized by legislative rule.
2. a. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed per calendar month the amount established under this subdivision by the director of the office of management and budget for lodging in state and which may not exceed the rate provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session. On August first of each even-numbered year, the director of the office of management and budget shall set the maximum monthly reimbursement for the subsequent two-year period at an amount equal to thirty times fifty-five percent of the daily lodging reimbursement in effect on that date as provided under subdivision d of subsection 2 of section 44-08-04.

- b. Notwithstanding subdivision a:
  - (1) A member of the legislative assembly may elect to be reimbursed for less than the amount to which the legislator is entitled under this subsection by claiming the lesser amount on a voucher submitted with the receipt required by section 44-08-04.
  - (2) The legislative management may establish guidelines that may result in a reduced maximum reimbursement for a single dwelling in which two or more legislators share lodging and the total rent for that dwelling exceeds the amount to which a legislator is entitled under subdivision a.
3. a. Members of the legislative assembly who receive reimbursement for lodging are also entitled to reimbursement for travel for not to exceed one round trip taken during any calendar week, or portion of a week, the legislative assembly is in session, between their residences and the place of meeting of the legislative assembly, at the rate provided for state employees with the additional limitation that reimbursement for travel by common carrier may be only at the cost of coach fare and may not exceed one and one-half times the amount the member would be entitled to receive as mileage reimbursement for travel by motor vehicle.
- b. A member of the legislative assembly who does not receive reimbursement for lodging and whose place of residence in the legislative district that the member represents is not within the city of Bismarck is entitled to reimbursement at the rate provided for state employees for necessary travel for not to exceed one round trip taken per day between the residence and the place of meeting of the legislative assembly when it is in session and may receive reimbursement for lodging at the place of meeting of the legislative assembly as provided in section 44-08-04 for each calendar day for which round trip travel reimbursement is not claimed, provided that the total reimbursement may not exceed the maximum monthly reimbursement allowed under subdivision a of subsection 2.
4. The amount to which each legislator is entitled must be paid following the organizational session in December and following each month during a regular or special session.
5. If during a special session, the legislative assembly adjourns for more than three days, a member of the legislative assembly is entitled to receive compensation during those days only while in attendance at a standing committee if the legislator is a member of that committee, a majority or minority leader, or a legislator who is not on that committee but who has the approval of a majority or minority leader to attend.
6. A day, or portion of a day, spent in traveling to or returning from an organizational, special, or regular session or a legislative committee meeting must be included as a calendar day during a legislative session or as a day of a legislative committee meeting for the purposes of this section.
7. a. In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of three hundred ninety-six dollars a month, paid monthly.
- b. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member.

- c. The majority and minority leaders of the house and senate and the chairman of the legislative management, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of two hundred eighty-four dollars per month during the biennium for their execution of public duties.
8. Attendance at any organizational, special, or regular session of the legislative assembly by any member is a conclusive presumption of entitlement as set out in this section and compensation and expense allowances must be excluded from gross income for income tax purposes to the extent permitted for federal income tax purposes under section 127 of the Economic Recovery Tax Act of 1981 [Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 162(i)].

**(Effective after June 30, 2010) Compensation and expense reimbursement of members of the legislative assembly.**

1. Each member of the legislative assembly is entitled to receive as compensation for services the sum of one hundred forty-eight dollars for each calendar day during any organizational, special, or regular legislative session and for each day that member attends a meeting of a legislative committee between the organizational session and the regular session as authorized by legislative rule.
2. a. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed per calendar month the amount established under this subdivision by the director of the office of management and budget for lodging in state and which may not exceed the rate provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session. On August first of each even-numbered year, the director of the office of management and budget shall set the maximum monthly reimbursement for the subsequent two-year period at an amount equal to thirty times fifty-five percent of the daily lodging reimbursement in effect on that date as provided under subdivision d of subsection 2 of section 44-08-04.
- b. Notwithstanding subdivision a:
  - (1) A member of the legislative assembly may elect to be reimbursed for less than the amount to which the legislator is entitled under this subsection by claiming the lesser amount on a voucher submitted with the receipt required by section 44-08-04.
  - (2) The legislative management may establish guidelines that may result in a reduced maximum reimbursement for a single dwelling in which two or more legislators share lodging and the total rent for that dwelling exceeds the amount to which a legislator is entitled under subdivision a.
3. a. Members of the legislative assembly who receive reimbursement for lodging are also entitled to reimbursement for travel for not to exceed one round trip taken during any calendar week, or portion of a week, the legislative assembly is in session, between their residences and the place of meeting of the legislative assembly, at the rate provided for state employees with the additional limitation that reimbursement for travel by common carrier may be only at the cost of coach fare and may not exceed one and one-half times the amount the member would be entitled to receive as mileage reimbursement for travel by motor vehicle.
- b. A member of the legislative assembly who does not receive reimbursement for lodging and whose place of residence in the legislative district that the member represents is not within the city of Bismarck is entitled to reimbursement at the

rate provided for state employees for necessary travel for not to exceed one round trip taken per day between the residence and the place of meeting of the legislative assembly when it is in session and may receive reimbursement for lodging at the place of meeting of the legislative assembly as provided in section 44-08-04 for each calendar day for which round trip travel reimbursement is not claimed, provided that the total reimbursement may not exceed the maximum monthly reimbursement allowed under subdivision a of subsection 2.

4. The amount to which each legislator is entitled must be paid following the organizational session in December and following each month during a regular or special session.
5. If during a special session, the legislative assembly adjourns for more than three days, a member of the legislative assembly is entitled to receive compensation during those days only while in attendance at a standing committee if the legislator is a member of that committee, a majority or minority leader, or a legislator who is not on that committee but who has the approval of a majority or minority leader to attend.
6. A day, or portion of a day, spent in traveling to or returning from an organizational, special, or regular session or a legislative committee meeting must be included as a calendar day during a legislative session or as a day of a legislative committee meeting for the purposes of this section.
7.
  - a. In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of four hundred fifteen dollars a month, paid monthly.
  - b. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member.
  - c. The majority and minority leaders of the house and senate and the chairman of the legislative management, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of two hundred ninety-eight dollars per month during the biennium for their execution of public duties.
8. Attendance at any organizational, special, or regular session of the legislative assembly by any member is a conclusive presumption of entitlement as set out in this section and compensation and expense allowances must be excluded from gross income for income tax purposes to the extent permitted for federal income tax purposes under section 127 of the Economic Recovery Tax Act of 1981 [Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 162(i)].

**54-03-20.1. Compensation for attending legislators.** Repealed by S.L. 1985, ch. 558, § 4.

**54-03-20.2. Creation of legislative compensation commission - Appointment of members.** Repealed by S.L. 1979, ch. 537, § 1.

**54-03-20.3. Meetings - Powers and duties - Expenses.** Repealed by S.L. 1979, ch. 537, § 1.

**54-03-21. Conflict of interest - Prohibition - Misdemeanor.** Repealed by S.L. 1967, ch. 380, § 1.

**54-03-22. When party or attorney is member of legislative assembly.** A member of the legislative assembly who is a witness or party to a civil action or has been the attorney of record for a party in a civil action for more than fifteen days is entitled to a continuance or an extension of time for any matter related to the civil action during the time the member of the legislative assembly is actually engaged in the performance of the member's duties at a session of the legislative assembly and attendance of the member of the legislative assembly is necessary in the action. Upon application for the continuance or extension, the proceeding must be continued and may not proceed within ten days after the adjournment of the legislative assembly over the objection of the party, witness, or attorney of record. Notice of motion, together with a copy of an affidavit stating that the party, witness, or the attorney of record is a member of the legislative assembly, must be served upon every other party to the action at least ten days before the date of the matter sought to be continued. It is sufficient cause for the continuance of any proceeding before any board, commission, or agency of the state or its political subdivisions that any witness, party to the proceeding, or a party's attorney is a member of the legislative assembly and the legislative assembly is in session. The witness, party, or the party's attorney shall give written notice of the fact of membership in the legislative assembly along with a request for continuance of the proceeding to the board, commission, or agency before which the member of the legislative assembly was to appear. Upon receipt of the notices, the board shall continue the proceeding to a date not less than ten days after adjournment of the legislative assembly and shall notify the other parties to the proceeding, and their attorneys, of the continuance.

**54-03-23. Century Code distributed to each legislator - Retention.** Each member of the legislative assembly is entitled to receive a current set of the North Dakota Century Code as provided in section 46-04-01. Upon the election of a member of the legislative assembly, the secretary of state shall request of that member whether that member wants to receive a set of the code under this section. The secretary of state shall deliver a set of the code to each member who elects to receive a copy of the code. A legislator who elects to receive a set of the code is entitled to current supplements and volumes as provided in section 46-04-03 to maintain the code during the legislator's service. The code received by a legislator under this section is not subject to section 46-04-04. After a legislator's service in the legislative assembly is terminated, the secretary of state shall inform the legislator that the legislator may elect to retain the set of the code or to return the set at the expense of the secretary of state. If the legislator elects to retain the set, the secretary of state shall inform the legislator how to obtain a subscription to maintain the legislator's code.

**54-03-24. Administrative Code distributed to each legislator - Retention.** Each member of the legislative assembly is entitled to receive a current set of the North Dakota Administrative Code as provided in section 28-32-20. The legislator is entitled to current supplements and volumes as provided in section 28-32-20 to maintain the code during the legislator's service. The code received by a legislator under this section is not subject to section 46-04-04. After a legislator's service in the legislative assembly is terminated, the secretary of state shall inform the legislator how to obtain a subscription to maintain the legislator's code.

**54-03-25. Bills and amendments affecting workforce safety and insurance fund - Actuarial impact statement.** Workforce safety and insurance shall review any legislative measure affecting workforce safety and insurance benefits or premium rates to determine whether the measure will have an actuarial impact on the workforce safety and insurance fund. If the organization determines that the measure will have an actuarial impact on the fund, the organization shall submit, before the measure is acted upon, an actuarial impact statement prepared, at the expense of the organization, by the actuary employed by the organization. The organization shall review any amendment affecting workforce safety and insurance benefits or premium rates and shall submit, before the amendment is acted upon, either a statement prepared by the organization, stating that the amendment is not expected to have any actuarial impact on the workforce safety and insurance fund, or an actuarial impact statement prepared, at the expense of the organization, by the actuary employed by the organization.

**54-03-26. Personal computers and associated software used by legislators - Fee - Continuing appropriation.**

1. Notwithstanding any other provision of law, a member of the legislative assembly who is assigned a computer may use that computer and its associated equipment and software for any use that is not in violation of section 16.1-10-02 upon payment of a computer usage fee established by the legislative management.
2. The legislative management may establish a policy under which a member of the legislative assembly who has paid a computer usage fee under subsection 1 may purchase the computer used by that member for the appraised or market value of the computer upon the replacement of the computer by the legislative council.
3. Any funds received by the legislative council through the sale of a computer under subsection 2 must be deposited in the legislative services fund in the state treasury.

**54-03-27. Service in the legislative assembly - Leave of absence from employment.**

The executive officer in charge of a state agency, department, or institution or the governing body of any political subdivision or any other employer in this state may grant a leave of absence from employment to a full-time employee of that governmental entity or of that employer who is a member of the legislative assembly for service during any regular or special session of the legislative assembly and for attendance at a meeting of the legislative management or any of its committees. The leave of absence may be without pay, and the employer may reduce or eliminate the payment of any additional benefits normally due the employee while the employee is performing legislative service. If the leave of absence is granted, the employer may not terminate the employment of an employee solely due to the fact that the employee is absent from employment as the result of service in the legislative assembly.

**54-03-28. Health insurance mandated coverage of services - Cost-benefit analysis requirement.**

1. A legislative measure mandating health insurance coverage of services or payment for specified providers of services may not be acted on by any committee of the legislative assembly unless the measure is accompanied by a cost-benefit analysis provided by the legislative council. Factors to consider in this analysis include:
  - a. The extent to which the proposed mandate would increase or decrease the cost of the service.
  - b. The extent to which the proposed mandate would increase the appropriate use of the service.
  - c. The extent to which the proposed mandate would increase or decrease the administrative expenses of insurers and the premium and administrative expenses of insureds.
  - d. The impact of the proposed mandate on the total cost of health care.
2. A legislative measure mandating health insurance coverage of services or payment for specified providers of services may not be acted on by any committee of the legislative assembly unless the measure as recommended by the committee provides:
  - a. The measure is effective through June thirtieth of the next odd-numbered year following the year in which the legislative assembly enacted the measure, and after that date the measure is ineffective.
  - b. The application of the mandate is limited to the public employees health insurance program and the public employee retiree health insurance program. The application of such mandate begins with every contract for health insurance which becomes effective after June thirtieth of the year in which the measure becomes effective.

- c. That for the next legislative assembly, the public employees retirement system shall prepare and request introduction of a bill to repeal the expiration date and to extend the mandated coverage or payment to apply to accident and health insurance policies. The public employees retirement system shall append to the bill a report regarding the effect of the mandated coverage or payment on the system's health insurance programs. The report must include information on the utilization and costs relating to the mandated coverage or payment and a recommendation on whether the coverage or payment should continue. For purposes of this section, the bill is not a legislative measure mandating health insurance coverage of services or payment for specified providers of services, unless the bill is amended following introduction so as to change the bill's mandate.
3. A majority of the members of the committee, acting through the chairman, has sole authority to determine whether a legislative measure mandates coverage of services under this section.
4. Any amendment made during a legislative session to a measure which mandates health insurance coverage of services may not be acted on by a committee of the legislative assembly unless the amendment is accompanied by a cost-benefit analysis provided by the legislative council.
5. The legislative council shall contract with a private entity, after receiving one or more recommendations from the insurance commissioner, to provide the cost-benefit analysis required by this section. The insurance commissioner shall pay the cost of the contracted services to the entity providing the services.

**54-03-29. Acceptance of gifts - Continuing appropriation.** The legislative assembly or either house of the legislative assembly may accept donations of funds. Funds received as a donation may be expended by the legislative assembly by concurrent resolution or the appropriate house upon motion. All funds under this section are appropriated as a continuing appropriation for the purposes contained in the concurrent resolution or motion approving the expenditure of the funds.