

**Sixty-second Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 4, 2011**

HOUSE BILL NO. 1397  
(Representative Schatz)

AN ACT to amend and reenact section 54-35-01 of the North Dakota Century Code, relating to the membership of the legislative management; and to declare an emergency.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 54-35-01 of the North Dakota Century Code is amended and reenacted as follows:

**54-35-01. Legislative management - Created - Members - Vacancy - Terms.**

1. The North Dakota legislative management consists of the majority and minority leaders of the house and of the senate ~~plus, the speaker of the house, and six senators and seven~~six representatives chosen biennially before the close of each regular legislative session.
2. In the house of representatives the ~~speaker of the house~~majority leader shall appoint to the legislative management four members ~~recommended~~elected by the majority leader ~~and three members recommended by political party with the largest number of members in the house, and the minority leader, except that the speaker must by virtue of office be one of the four members appointed from the speaker's faction of the house shall appoint to the legislative management two members elected by the political party with the next largest number of members in the house.~~
3. In the senate the ~~lieutenant governor~~majority leader shall appoint to the legislative management four members ~~recommended~~elected by the majority leader ~~and two members recommended by political party with the largest number of members in the senate and the minority leader shall appoint to the legislative management two members elected by the political party with the next largest number of members in the senate.~~
4. Any vacancy occurring when the legislative assembly is not in session must be filled by the selection of another member of the legislative assembly belonging to the same ~~faction~~party as the member originally appointed, the selection to be made by the remaining senate or house members of the legislative management, depending upon which body has the vacancy. Each senator and each representative chosen to serve on the legislative management shall serve until a new legislative management has been selected at the next regular legislative session; provided, however, that no senator, not a holdover, who is not reelected to the senate, and no representative, who is not reelected to the house of representatives, may serve as a member of the legislative management beyond the closing day of the term to which elected. Any vacancy occurring because any member of the legislative management is not reelected must be filled for the period from the beginning of the session until a new legislative management is selected, in the same manner as the original legislative management is selected.

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

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Chief Clerk of the House

\_\_\_\_\_  
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-second Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1397 and that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote:        Yeas 71                      Nays 22                      Absent 1

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Chief Clerk of the House

This certifies that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote:        Yeas 47                      Nays 0                      Absent 0

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Secretary of the Senate

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2011.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2011.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2011,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State