

**Sixty-fifth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2017**

HOUSE BILL NO. 1330
(Representatives Schatz, Carlson, Vigesaa)

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, the speaker of the house, and six senators and six representatives chosen biennially before the close of each regular legislative session.
2. In the house of representatives the majority leader shall appoint to the legislative management ~~four~~ members elected by the political party with the largest number of members in the house and the minority leader 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. The majority and minority leaders of the house of representatives shall make the appointments so as to give the two political parties having the most members in the house the same total proportionate representation on the legislative management as prevails in the house. In allocating the membership on the legislative management to each political party, the total number of members in the house of representatives must be divided by six; the resulting quotient must then be divided into the number of members of each of the two political parties of the house; the resulting quotient for each party of the house, rounded to the nearest whole number, is the number of members of that political party in the house to be on the legislative management. Notwithstanding this allocation, the minority political party in the house of representatives must be represented by at least two members on the legislative management.
3. In the senate the majority leader shall appoint to the legislative management ~~four~~ members elected by the 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. The majority and minority leaders of the senate shall make the appointments so as to give the two political parties having the most members in the senate the same total proportionate representation on the legislative management as prevails in the senate. In allocating the membership on the legislative management to each political party, the total number of members in the senate must be divided by six; the resulting quotient must then be divided into the number of members of each of the two political parties of the senate; the resulting quotient for each party of the senate, rounded to the nearest whole number, is the number of members of that political party in the senate to be on the legislative management. Notwithstanding this allocation, the minority political party in the senate must be represented by at least two members on the legislative management.
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 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 re-elected to the senate, and no representative, who is not re-elected 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 re-elected 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-fifth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1330 and that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 79 Nays 11 Absent 4

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 38 Nays 8 Absent 1

President of the Senate

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2017.

Approved at _____ M. on _____, 2017.

Governor

Filed in this office this _____ day of _____, 2017,

at _____ o'clock _____ M.

Secretary of State