

**SENATE BILL NO. 2436**

Introduced by

Senator G. Nelson

Representative Carlson

1 A BILL for an Act to amend and reenact section 54-35-01 of the North Dakota Century Code,  
2 relating to the composition of the North Dakota legislative council; and to provide an effective  
3 date.

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

5 **SECTION 1. AMENDMENT.** Section 54-35-01 of the 1997 Supplement to the North  
6 Dakota Century Code is amended and reenacted as follows:

7 **54-35-01. Council - Created - Members - Vacancy - Terms.** The North Dakota  
8 legislative council, ~~hereinafter in this chapter~~ referred to as the legislative council or the council,  
9 consists of the majority and minority leaders of the house and of the senate plus ~~five~~ six  
10 senators and ~~six~~ seven representatives chosen biennially before the close of each regular  
11 legislative session. In the house of representatives the speaker of the house shall appoint ~~as to~~ to  
12 ~~the council members three~~ four members recommended by the majority leader ~~of each political~~  
13 ~~faction and three members recommended by the minority leader~~, except that the speaker must  
14 by virtue of office be one of the ~~three~~ four members appointed from the speaker's faction. In  
15 the senate the lieutenant governor shall appoint ~~as to the council members three~~ four members  
16 recommended by the majority leader and two members recommended by the minority leader.  
17 Any vacancy occurring when the legislative assembly is not in session must be filled by the  
18 selection of another member of the legislative assembly belonging to the same faction as the  
19 member originally appointed, the selection to be made by the remaining senate or house  
20 members of the council, depending upon which body has the vacancy. Each senator and each  
21 representative chosen to serve on the council shall serve until a new council has been selected  
22 at the next regular legislative session; provided, however, that no senator, not a holdover, who  
23 is not reelected to the senate, and no representative, who is not reelected to the house of  
24 representatives, may serve as a member of the council beyond the closing day of the term to

1 which elected. Any vacancy occurring because any member of the council is not reelected  
2 must be filled for the period from the beginning of the session until a new council is selected, in  
3 the same manner as the original council is selected.

4           **SECTION 2. EFFECTIVE DATE.** This Act becomes effective January 1, 2001.