

**HOUSE BILL NO. 1398**

Introduced by

Representatives Hanson, Kempenich, Mitskog, Steiner

Senators Bekkedahl, Davison, Grabinger

1 A BILL for an Act to amend and reenact sections 54-03-02, 54-35-16, 54-44.1-07, and  
2 54-44.1-08 of the North Dakota Century Code, relating to annually reconvened sessions of the  
3 legislative assembly.

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

5 **SECTION 1. AMENDMENT.** Section 54-03-02 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **54-03-02. When legislative assembly meets.**

8 1. The legislative assembly shall meet at the seat of government in the month of  
9 December following the election of ~~the~~its members ~~thereof~~ for organizational and  
10 orientation purposes and shall ~~thereafter~~ recess after the organizational session until  
11 the time provided in subsection 2. If reasonably necessary, an appropriations  
12 committee may meet between the organizational session and when the legislative  
13 assembly reconvenes. The supreme court, governor, and executive agencies may  
14 recommend draft appropriations bills to the legislative management before the end of  
15 the organizational session in a form and manner prescribed by the legislative council.

16 2. The legislative assembly shall reconvene in odd-numbered years to address matters  
17 related to the biennial state budget and appropriations as follows.

18 a. The legislative assembly shall reconvene at twelve noon on the first Tuesday  
19 after the third day in January of the year following the organizational session as  
20 provided in subsection 1 or at twelve noon on a date selected by the legislative  
21 management but not earlier than January second nor later than January eleventh  
22 of the year following the organizational session and, following.

23 b. The legislative assembly may meet for no more than sixty-five of the natural days  
24 available under the constitution for the legislative session.

- 1           c. The legislative assembly may not be called to order on at least six days,  
2           exclusive of Saturdays and Sundays, before it recesses so legislators may  
3           communicate with constituents regarding legislative matters.
- 4           d. The legislative management may introduce draft appropriations bills  
5           recommended by the supreme court, governor, and executive agencies, or  
6           introduce other appropriations bills.
- 7           e. The deadline for introducing bills must be set by legislative rule but may be no  
8           later than January fifteenth.
- 9           f. Interim committee assignments must be made before the legislative assembly  
10          recesses and continue through the remainder of the biennium. Legislative  
11          management studies must be assigned to interim committees and may continue  
12          until the legislative assembly reconvenes, through the remainder of the biennium,  
13          or until another date, as specified by the legislative management.
- 14          g. Following the close of business of the regular session, shall adjourn subject to  
15          subsection 3, but reserving at least fifteen of the natural days available under the  
16          constitution for the legislative session, the legislative assembly shall recess  
17          subject to subsections 3 and 4.
- 18          3. The legislative assembly shall reconvene in even-numbered years as follows.
- 19           a. The legislative assembly shall reconvene at twelve noon on the first Tuesday in  
20           February in even-numbered years or at twelve noon on a date selected by the  
21           legislative management but not earlier than February fifth nor later than February  
22           tenth in even-numbered years.
- 23           b. The legislative assembly shall meet for no less than fifteen of the natural days  
24           available under the constitution for the legislative session.
- 25           c. The legislative assembly may not be called to order on at least four days,  
26           exclusive of Saturdays and Sundays, before it recesses so legislators may  
27           communicate with constituents regarding legislative matters.
- 28           d. Interim committees may be assigned new studies and responsibilities by the  
29           legislative management and may continue to meet during the legislative session.
- 30           e. The legislative assembly may review and, if necessary, amend the biennial state  
31           budget and appropriations.

- 1           f. The supreme court, governor, and executive agencies may recommend draft bills  
2           to the legislative management before January fifteenth in a form and manner  
3           prescribed by the legislative council. The legislative management may introduce  
4           the recommended legislation.
- 5           g. The deadline for legislators to introduce bills must be set by legislative rule but  
6           may be no later than February fifteenth.
- 7           h. Following the close of business, the legislative assembly shall recess subject to  
8           subsection 4.
- 9           4. Notwithstanding a motion to adjourn sine die, the legislative assembly shall reconvene  
10          at other times during the biennium as determined by the legislative management. The  
11          number of natural days used may not exceed the number of natural days available  
12          under the constitution which have not been previously used and are not required by  
13          this section to be used in the future by that legislative assembly in regular session  
14          under ~~subsection 2.~~

15          **SECTION 2. AMENDMENT.** Section 54-35-16 of the North Dakota Century Code is  
16          amended and reenacted as follows:

17          **54-35-16. Authority to determine if legislative assembly meets.**

18          The legislative management may issue a call for the legislative assembly to convene after it  
19          has recessed or adjourned under ~~subsection 2~~ of section 54-03-02. The length of a legislative  
20          session called under this section may not exceed the number of natural days available under  
21          the constitution which have not been used and are not required by section 54-03-02 to be used  
22          in the future by that legislative assembly. The legislative management may exercise this  
23          authority, and the legislative assembly shall meet, regardless of whether the motion to close the  
24          regular session of the legislative assembly was to recess to a time certain, adjourn to a time  
25          certain, or adjourn sine die.

26          **SECTION 3. AMENDMENT.** Section 54-44.1-07 of the North Dakota Century Code is  
27          amended and reenacted as follows:

28          **54-44.1-07. Presentation of budget data - How presented to the legislative assembly.**

29          The director of the budget or the director's designee shall present the budget data  
30          information in section 54-44.1-06, except the drafts of acts required by subsection 7 of that  
31          section, and make available sufficient copies ~~thereof~~ toof the data for the legislative assembly at

1 the organizational session. The drafts of acts required by subsection 7 of section 54-44.1-06  
2 must be submitted to the legislative council ~~within seven days after the day of~~before the  
3 adjournment of the organizational session. The budget data must be completed and made  
4 available to the legislative assembly in such form as may be prescribed by the legislative  
5 council. The legislative council shall set the time and place at which ~~such~~the budget data ~~is~~are  
6 to be presented.

7 **SECTION 4. AMENDMENT.** Section 54-44.1-08 of the North Dakota Century Code is  
8 amended and reenacted as follows:

9 **54-44.1-08. Budget report - Contents - When submitted to legislative assembly.**

10 The official budget report must be transmitted by the governor to all holdover legislators and  
11 legislators-elect not later than three days after the commencement of the session of the  
12 legislative assembly. ~~Such in January of each odd-numbered year.~~ The report is not a  
13 third-class item under section 46-02-05. The budget director shall provide for the duplication or  
14 other satisfactory reproduction or printing of the official budget report, ~~so as to ensure delivery~~  
15 ~~of same as provided in this section. Such reports.~~ The report must contain the budget and  
16 revenue proposals recommended by the governor ~~and~~the information required in  
17 subsections 1, 2, 3, 5, and 6 of section 54-44.1-06~~,~~ and all other data and information as the  
18 governor shall decide. The budget director shall make available ~~any and~~ all information  
19 regarding budget data to the governor, the legislative assembly and its designees, legislators,  
20 and ~~to~~ the governor-elect as may be requested. The governor may present any additional  
21 budget information in any manner to the legislative assembly as the governor may desire.