

**HOUSE BILL NO. 1399**

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 and 54-35-16 of the North Dakota  
2 Century Code, relating to annually reconvened sessions of the legislative assembly; and to  
3 provide for a legislative management study.

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.
- 12 2. The legislative assembly shall reconvene at twelve noon on the first Tuesday after the  
13 third day in January of the year following the organizational session as provided in  
14 subsection 1 or at twelve noon on a date selected by the legislative management but  
15 not earlier than January second nor later than January eleventh of the year following  
16 the organizational session ~~and, following.~~ Following the close of business of the  
17 regular session, shall adjourn subject to subsection 3, but reserving at least five of the  
18 natural days available under the constitution for the legislative session, the legislative  
19 assembly shall recess subject to subsections 3 and 4.
- 20 3. The legislative assembly shall reconvene at twelve noon on a date selected by the  
21 legislative management which is not earlier than February fifteenth nor later than  
22 March first of the second year after the organizational session. After reconvening, the  
23 legislative assembly shall use no less than three natural days available under the  
24 constitution for the legislative session to address matters related to the state budget

1           and appropriations. Following the close of business or the end of the natural days  
2           available under the constitution for the legislative session, whichever occurs first, the  
3           legislative assembly shall adjourn subject to subsection 4.

4           4. Notwithstanding a motion to recess or adjourn sine die, the legislative assembly shall  
5           reconvene as determined by the legislative management. The number of natural days  
6           used may not exceed the number of natural days available under the constitution  
7           which have not been previously used by that legislative assembly in regular session,  
8           and, if the legislative assembly has not yet reconvened under subsection 23, at least  
9           five of the natural days available under the constitution must be reserved to fulfill that  
10          subsection.

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

13          **54-35-16. Authority to determine if legislative assembly meets.**

14          The legislative management may issue a call for the legislative assembly to convene after it  
15          has adjourned under subsection 2 or 3 of section 54-03-02. The length of a legislative session  
16          called under this section may not exceed the number of natural days available under the  
17          constitution which have not been used by that legislative assembly, and, if the legislative  
18          assembly has not yet reconvened under subsection 3 of section 54-03-02, at least five of the  
19          natural days must be reserved to fulfill that subsection. The legislative management may  
20          exercise this authority, and the legislative assembly shall meet, regardless of whether the  
21          motion to close the regular session of the legislative assembly was to recess to a time certain,  
22          adjourn to a time certain, or adjourn sine die.

23          **SECTION 3. LEGISLATIVE MANAGEMENT STUDY - ANNUAL LEGISLATIVE**

24          **SESSIONS.** During the 2019-20 interim, the legislative management shall consider studying  
25          annually reconvening the regular session of the legislative assembly with a more equal  
26          distribution of the eighty natural days available for the session between odd-numbered years  
27          and even-numbered years. The legislative management shall report its findings and  
28          recommendations, together with any legislation required to implement the recommendations, to  
29          the sixty-seventh legislative assembly.