

TOWNSHIPS

CHAPTER 487

SENATE BILL NO. 2301

(Senators Cook, Stenehjem, Hogue)
(Representatives Carlson, Belter)

AN ACT to amend and reenact section 58-02-28 of the North Dakota Century Code, relating to disposition of township funds upon dissolution; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 58-02-28 of the North Dakota Century Code is amended and reenacted as follows:

58-02-28. When township dissolved - Disposition of property and records.

If a majority of all votes cast at the township meeting are in favor of dissolution, the township ceases to be a corporation on the ~~first day of January~~ next succeeding ~~the time of holding such meeting~~ January first. ~~The property belonging to the township, after the~~ After payment of its ~~the township's~~ debts and liabilities, any funds on hand derived from property taxes levied by the township may be allocated among taxpayers of the township in proportion to their relative ownership shares of the taxable valuation of property in the township, any funds on hand from sources other than property taxes levied by the township must be transferred by the township treasurer to the treasurer of the county in which the township is located for deposit in the county general fund, and any real or personal property must be disposed of in the manner directed by a majority of the voters of the township at any special meeting. All of the ~~records of the township~~ records must be turned over for preservation and safekeeping to the county auditor of the county ~~within~~ in which the township ~~lies~~ is located.

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

Approved March 9, 2011
Filed March 9, 2011

CHAPTER 488

SENATE BILL NO. 2219

(Senators Olafson, Andrist, Dotzenrod)
(Representatives Brandenburg, Monson, Mueller)

AN ACT to amend and reenact section 58-05-12 of the North Dakota Century Code, relating to township officer interest in a township contract.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 58-05-12 of the North Dakota Century Code is amended and reenacted as follows:

58-05-12. Officers interested in contracts of township.

Except as otherwise provided by this section, no township officer may become a party to or be interested, directly or indirectly, in any contract made by the board of which the officer is a member. Every contract or payment voted for or made contrary to this section is void. Any violation of this section constitutes malfeasance in office which subjects the offending officer to removal from office. A township ~~supervisor~~officer may become a party to or be interested, directly or indirectly, in any contract made by the board if:

1. ~~No other qualified individual is willing to undertake the contract; The officer is qualified to undertake the contract.~~
2. The board, when possible, has requested bids or offers from at least two persons.
3. The board gives due consideration to all reasonable bids or offers to provide the same service to the township.
4. The officer having an interest in the contract is a supervisor, that supervisor does not vote on the contract; and
3. ~~The the other members of the board of supervisors vote unanimously in favor of the contract.~~
5. The officer having an interest in the contract is not a supervisor, all members of the board of supervisors vote unanimously in favor of the contract.

Approved April 26, 2011
Filed April 26, 2011

CHAPTER 489

HOUSE BILL NO. 1259

(Representatives Froseth, Kretschmar, Maragos)
(Senators J. Lee, Olafson, Dotzenrod)

AN ACT to amend and reenact sections 58-06-02, 58-07-01, and 58-08-01 of the North Dakota Century Code, relating to compensation of township officers.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 58-06-02 of the North Dakota Century Code is amended and reenacted as follows:

58-06-02. Compensation of supervisors.

A township supervisor is entitled to receive as compensation for services ~~twenty~~ up to sixty dollars a day for each day necessarily devoted to the work of a supervisor's office not exceeding ~~one~~ two thousand dollars in a calendar year. The electors of the township shall establish the daily compensation rate for township supervisors at each annual township meeting. Additional compensation over ~~one~~ two thousand dollars may be provided for reimbursement of expenses ~~and mileage at a rate not exceeding the allowable mileage rate accepted by the United States internal revenue service~~ as provided in section 44-08-04 and for mileage as provided in section 54-06-09 for each mile [1.61 kilometers] necessarily traveled in the performance of a supervisor's duties.

SECTION 2. AMENDMENT. Section 58-07-01 of the North Dakota Century Code is amended and reenacted as follows:

58-07-01. Compensation of clerk.

The township clerk is entitled to receive as compensation for services ~~twenty~~ up to sixty dollars a day for each day necessarily devoted to the work of the clerk's office not exceeding ~~one~~ two thousand dollars in a calendar year. The electors of the township shall establish the daily compensation rate for the township clerk at each annual township meeting. Additional compensation over ~~one~~ two thousand dollars may be provided for reimbursement of expenses ~~and mileage at a rate not exceeding the allowable mileage rate accepted by the United States internal revenue service~~ as provided in section 44-08-04 and for mileage as provided in section 54-06-09 for each mile [1.61 kilometers] necessarily traveled in the performance of the clerk's duties. In those townships in which the offices of township clerk and treasurer have been merged, the ~~person~~ individual elected to fill the new office is entitled to receive compensation as township clerk only.

SECTION 3. AMENDMENT. Section 58-08-01 of the North Dakota Century Code is amended and reenacted as follows:

58-08-01. Compensation of treasurer.

The township treasurer is entitled to receive as compensation for services ~~twenty~~ sixty dollars a day for each day necessarily devoted to the work of the

treasurer's office not exceeding ~~one~~two thousand dollars in a calendar year. The electors of the township shall establish the daily compensation rate for the township treasurer at each annual township meeting. Additional compensation over ~~one~~two thousand dollars may be provided for reimbursement of expenses ~~and mileage at a rate not exceeding the allowable mileage rate accepted by the United States internal revenue service~~as provided in section 44-08-04 and for mileage as provided in section 54-06-09 for each mile [1.61 kilometers] necessarily traveled in the performance of the treasurer's duties. The township treasurer may not be allowed a percentage on the balance turned over to the treasurer's successor in office.

Approved April 25, 2011
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