

Fifty-fifth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2052

Introduced by

Appropriations Committee

(At the request of the Legislative Compensation Commission)

1 A BILL for an Act to amend and reenact sections 4-09-03.1, 4-10.4-05, 4-10.5-04, 4-10.6-04,
2 subsection 3 of section 4-27-05, sections 4-28-05, 21-10-01, 23-01-02, 23-18.2-04, 24-02-37.1,
3 subsection 2 of section 25-02-01.1, sections 25-04-20, 43-12.1-07, 43-35-07, 49-21-22.1,
4 subdivision a of subsection 4 of section 49-23-03, sections 54-03-10, 54-03-19.1, 54-03-19.2,
5 54-03-20, subsection 4 of section 54-06-25, sections 54-24.3-02, 54-35-10, 54-35.2-04,
6 subsection 6 of section 54-52-03, sections 61-02-12, 61-04.1-07, 61-06-22, 61-24-04, and
7 61-24.5-04 of the North Dakota Century Code, relating to compensation and reimbursement of
8 members of the legislative assembly and various boards, councils, and commissions; and to
9 provide an effective date.

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

11 **SECTION 1. AMENDMENT.** Section 4-09-03.1 of the 1995 Supplement to the North
12 Dakota Century Code is amended and reenacted as follows:

13 **4-09-03.1. State seed arbitration board - Compensation and expenses.** The state
14 seed arbitration board consists of the commissioner of agriculture, the director of the North
15 Dakota state university extension service, the director of the North Dakota agricultural
16 experiment station, the chair of the North Dakota seed trade committee of the North Dakota
17 agriculture association, and a representative of a major North Dakota farm organization
18 appointed by the commissioner of agriculture, or their authorized designees. Each board
19 member is entitled to receive ~~the same as~~ per diem compensation ~~as provided for members of~~
20 ~~the legislative council under section 54-35-10~~ sixty-two dollars and fifty cents, and
21 reimbursement of expenses as provided by law for state officers, while attending meetings or
22 performing duties directed by the board, except that no compensation under this section may
23 be paid to any member who receives compensation or salary as a regular state employee or

official. Compensation and expenses for board members who do not receive compensation or salary as a regular state employee or official must be paid by the department of agriculture.

SECTION 2. AMENDMENT. Section 4-10.4-05 of the North Dakota Century Code is amended and reenacted as follows:

4-10.4-05. Meetings - Quorum - Compensation and expenses of council. A

quorum is necessary for the transaction of all business in carrying out the duties of the council. The chairman shall call all meetings of the council except special meetings which the chairman shall call on the petition of two council members within seven days of receiving such a petition. Each voting member of the council is entitled to receive ~~the same~~ sixty-two dollars and fifty cents as compensation per day ~~as provided in section 54-35-10 for members of the legislative council and their~~ necessary mileage and travel expenses as provided in sections 44-08-04 and 54-06-09 while attending council meetings or in the performance of such special duties as the council may direct. The compensation provided in this section ~~must~~ may not be paid to any member of the council who receives salary or other compensation as a regular employee of the state.

SECTION 3. AMENDMENT. Section 4-10.5-04 of the North Dakota Century Code is amended and reenacted as follows:

4-10.5-04. Meetings - Quorum - Compensation and expenses of council. All

meetings of the council must be called by the chairman except special meetings which must be called by the chairman on the petition of three council members within seven days of receiving the petition. Each member of the council, except the commissioner, ~~will~~ is entitled to receive ~~the same~~ sixty-two dollars and fifty cents per day ~~as compensation as provided for members of the legislative council under section 54-35-10,~~ together with expenses as provided in sections 44-08-04 and 54-06-09, while attending meetings or performing duties directed by the council, except that no compensation may be paid to any council member who receives compensation or salary as a regular state employee or official.

SECTION 4. AMENDMENT. Section 4-10.6-04 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-10.6-04. Meetings - Compensation and expenses of council. The chairman shall

call all meetings of the council. The chairman shall call special meetings on the petition of three council members, within seven days of receiving the petition. Each council member is entitled

1 to receive ~~the same~~ as per diem compensation as provided for members of the legislative
2 ~~council under section 54-35-10~~ sixty-two dollars and fifty cents, and reimbursement of
3 expenses as provided by law for state officers, while attending meetings or performing duties
4 directed by the council, except that no compensation under this section may be paid to any
5 member who receives compensation or salary as a regular state employee or official.

6 **SECTION 5. AMENDMENT.** Subsection 3 of section 4-27-05 of the North Dakota
7 Century Code is amended and reenacted as follows:

- 8 3. The appointive and elected members of the commission ~~shall~~ are entitled to
9 receive a salary ~~equal to seventy five percent of the compensation of forty-seven~~
10 dollars per day as provided in section 54-35-10 for members of the legislative
11 ~~council~~ while actually engaged in the official duties of the commission, plus their
12 actual expenses at the same rates as other state officials.

13 **SECTION 6. AMENDMENT.** Section 4-28-05 of the North Dakota Century Code is
14 amended and reenacted as follows:

15 **4-28-05. Wheat commission - Meeting - Expenses - Legal adviser.** Upon call of the
16 governor, the commission shall first meet and organize by electing from the membership a
17 chairman and vice chairman, who shall hold office for one year and until their successors are
18 elected and have qualified. Thereafter the commission shall meet at least once every calendar
19 quarter at such times and places as ~~must be~~ determined by the commission and may meet in
20 special meetings upon such call and notice as ~~may be~~ prescribed by rules adopted by the
21 commission. Members of the commission must be reimbursed for actual expenses necessarily
22 incurred in attending meetings and performing other official duties on the same basis as other
23 state officers and are entitled to receive ~~the same~~ as per diem compensation as provided in
24 ~~section 54-35-10 for members of the legislative council~~ sixty-two dollars and fifty cents for each
25 day actually devoted to official business of the commission. The attorney general shall act as
26 legal adviser to the commission or designate an assistant for that purpose and within the limit of
27 the funds available to the commission it may employ other counsel to advise and represent the
28 commission in its affairs and proceedings.

29 **SECTION 7. AMENDMENT.** Section 21-10-01 of the 1995 Supplement to the North
30 Dakota Century Code is amended and reenacted as follows:

21-10-01. State investment board - Membership - Term - Compensation - Advisory council.

1. The North Dakota state investment board consists of the governor, the state treasurer, the commissioner of university and school lands, the director of the workers compensation bureau, the commissioner of insurance, three members of the teachers' fund for retirement board or the board's designees who need not be members of the fund as selected by that board, and three of the elected members of the public employees retirement system board as selected by that board. The teachers' fund for retirement board may appoint an alternate designee with full voting privileges to attend meetings of the state investment board when a selected member is unable to attend. The public employees retirement system board may appoint an alternate designee with full voting privileges from the public employees retirement system board to attend meetings of the state investment board when a selected member is unable to attend. The members of the state investment board, except elected and appointed officials, are entitled to receive ~~the same~~ sixty-two dollars and fifty cents as compensation per day ~~as provided in section 54-35-10 for members of the legislative council~~ and necessary mileage and travel expenses as provided in sections 44-08-04 and 54-06-09 for attending meetings of the state investment board.
2. The state investment board may establish an advisory council composed of individuals who are experienced and knowledgeable in the field of investments. The state investment board shall determine the responsibilities of the advisory council. Members of the advisory council are entitled to receive the same compensation as provided the members of the advisory board of the Bank of North Dakota and necessary mileage and travel expenses as provided in sections 44-08-04 and 54-06-09.

SECTION 8. AMENDMENT. Section 23-01-02 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

23-01-02. Health council - Members, terms of office, vacancies, compensation, officers, meetings. The health council consists of nine members appointed by the governor in the following manner: Four persons from the health care field and five persons representing

1 consumer interests. The governor may select members to the council from recommendations
2 submitted by trade, professional, and consumer organizations. On the expiration of the term of
3 any member, the governor, in the manner provided by this section, shall appoint for a term of
4 three years, persons to take the place of members whose terms on the council are about to
5 expire. The officers of the council must be elected annually. Any state agency may serve in an
6 advisory capacity to the health council at the discretion of the council. The council shall meet at
7 least twice each year and at other times as the council or its chairman may direct. The health
8 council shall have as standing committees any committees the council may find necessary.
9 The chairman of the council shall select the members of these committees. The members of
10 the council are entitled to receive ~~the same~~ sixty-two dollars and fifty cents as compensation
11 per day ~~as provided in section 54-35-10 for members of the legislative council~~ and their
12 necessary mileage and travel expenses as provided in sections 54-06-09 and 44-08-04 while
13 attending council meetings or in the performance of any special duties as the council may
14 direct. The per diem and expenses must be audited and paid in the manner in which the
15 expenses of state officers are audited and paid. The compensation provided for in this section
16 may not be paid to any member of the council who received salary or other compensation as a
17 regular employee of the state, or any of its political subdivisions, or any institution or industry
18 operated by the state.

19 **SECTION 9. AMENDMENT.** Section 23-18.2-04 of the North Dakota Century Code is
20 amended and reenacted as follows:

21 **23-18.2-04. Commissioners of authority - Appointment, compensation,**
22 **qualifications, tenure.** Upon an affirmative vote of the county electors in the election required
23 by section 23-18.2-03, the board of county commissioners shall appoint five persons as
24 commissioners for the authority created in ~~such~~ the county. The commissioners who are first
25 appointed must be designated to serve for terms of one, two, three, four, and five years,
26 respectively, from the date of their appointment, and thereafter, each commissioner must be
27 appointed for a term of five years, except that all vacancies must be filled for the unexpired
28 term. No commissioner of an authority may be an officer or an employee of the county for
29 which the authority is created. A commissioner shall hold office until ~~his~~ a successor has been
30 appointed and has qualified. A commissioner ~~shall~~ is entitled to receive as compensation ~~in the~~
31 ~~amount provided in subsection 1 of section 54-35-10~~ sixty-two dollars and fifty cents per day

1 while actually engaged in official duties of the authority and must be reimbursed for mileage and
2 expenses in the amounts provided by sections 44-08-04 and 54-06-09.

3 **SECTION 10. AMENDMENT.** Section 24-02-37.1 of the 1995 Supplement to the North
4 Dakota Century Code is amended and reenacted as follows:

5 **24-02-37.1. Special road advisory committee.** The special road advisory committee
6 consists of one member of the senate transportation committee and one member of the senate
7 appropriations committee appointed by the chairman of the legislative council and one member
8 of the house of representatives transportation committee and one member of the house of
9 representatives appropriations committee appointed by the chairman of the legislative council
10 and also the director of the game and fish department, the director of the parks and recreation
11 department, the director of the department of economic development and finance, and the
12 commissioner. The committee shall meet at the call of the commissioner, who is chairman of
13 the committee, to review requests for funding from the special road fund and to advise the
14 commissioner regarding funding requested projects. The commissioner shall provide staff
15 services to the committee. All final decisions regarding funding requested projects are in the
16 sole discretion of the commissioner. The members of the commission who are members of the
17 legislative assembly must be compensated by the department, from moneys appropriated from
18 the special road fund, for attendance at committee meetings at the rate provided ~~in section~~
19 ~~54-35-10~~ for members of the legislative assembly for attendance at interim committee meetings
20 and are entitled to reimbursement for expenses incurred in attending the meetings in the
21 amounts provided by law for other state officers.

22 **SECTION 11. AMENDMENT.** Subsection 2 of section 25-02-01.1 of the North Dakota
23 Century Code is amended and reenacted as follows:

- 24 2. The department, in consultation with the state hospital, shall create a state hospital
25 governing body and shall by rules describe the powers and duties of the governing
26 body. The department shall compensate ~~and reimburse~~ members not employed
27 by the department in the ~~same manner and amount as members of the legislative~~
28 ~~council are compensated and reimbursed under section 54-35-10~~ of sixty-two
29 dollars and fifty cents per day and reimburse members for expenses incurred in
30 attending meetings in the amounts provided by sections 44-08-04 and 54-06-09.

1 **SECTION 12. AMENDMENT.** Section 25-04-20 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **25-04-20. Westwood park assets management committee.** The westwood park
4 assets management committee consists of eleven members appointed by the governor as
5 follows: three members of the senate, two from the majority faction and one from the minority
6 faction, and three members of the house of representatives, two from the majority faction and
7 one from the minority faction; a representative of the department of human services; a
8 representative of the department of economic development and finance; a representative of the
9 attorney general's office; the mayor of Grafton; and the governor or the governor's designee.
10 The officers of the westwood park assets management committee must be elected annually.
11 Any state agency may serve in an advisory capacity to the westwood park assets management
12 committee at the discretion of the committee. The committee shall meet at least twice each
13 year and at other times as the committee or its chairman may direct. The legislative members
14 of the committee are entitled to receive the same compensation per day as ~~provided in section~~
15 ~~54-35-10~~ established for members of the legislative ~~council~~ assembly for attendance at interim
16 committee meetings and the necessary mileage and travel expenses provided in sections
17 44-08-04 and 54-06-09 while attending committee meetings or in the performance of such
18 special duties as the committee may direct. The compensation provided for in this section may
19 not be paid to any member of the committee who received salary or other compensation as a
20 regular employee of the state, or any of its political subdivisions, or any institution or industry
21 operated by the state. The westwood park assets management committee shall act when the
22 legislative assembly is not in session to sell, lease, and otherwise manage the property of
23 westwood park, subject to prior budget section approval. The department of human services
24 shall provide staff services for the westwood park assets committee. Any conveyance made by
25 the committee under this section is exempt from sections 54-01-05.2 and 54-01-05.5.

26 **SECTION 13. AMENDMENT.** Section 43-12.1-07 of the North Dakota Century Code is
27 amended and reenacted as follows:

28 **43-12.1-07. Compensation of board members.** In addition to the expenses incurred
29 while engaged in the performance of the duties of office, each board member shall receive a
30 per diem fee not to exceed ~~the compensation allowed members of the legislative assembly~~
31 ninety dollars for each day of service ~~under section 54-03-20.~~

SECTION 14. AMENDMENT. Section 43-35-07 of the North Dakota Century Code is amended and reenacted as follows:

43-35-07. Compensation and reimbursement of expenses. Each appointive member of the board ~~shall be entitled to receive the same~~ sixty-two dollars and fifty cents compensation per day and must be reimbursed for his expenses in the same amounts as provided for in ~~section 54-35-10 for members of the legislative council~~ sections 44-08-04 and 54-06-09 while attending board meetings or otherwise engaged in the official business of the board.

SECTION 15. AMENDMENT. Section 49-21-22.1 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

49-21-22.1. (Effective until December 31, 1998) Regulatory reform review commission - Appointments - Compensation - Report to legislative council. The regulatory reform review commission shall review the operation and effect of North Dakota telecommunications law on an ongoing basis during the interims between the 1995 and 1999 legislative sessions and shall submit a report regarding its operation and effect to the legislative council in 1996 and 1998. The regulatory reform review commission may review the effect of taxation laws on North Dakota telecommunications law during the interims between the 1995 and 1999 legislative sessions and may include any findings and recommendations with respect to its review of the effect of taxation laws on North Dakota telecommunications law in the report to the legislative council in 1996 and 1998. The regulatory reform review commission consists of one member of the public service commission who has responsibility for telecommunications regulation, two members of the senate, appointed by the president of the senate, and two members of the house of representatives, appointed by the speaker. The chairman of the legislative council shall designate the chairman and vice chairman of the regulatory reform review commission from the legislative members of the commission. The public service commission shall provide technical assistance and the legislative council shall provide staff services to the regulatory reform review commission. The legislative members of the regulatory reform review commission are entitled to the same compensation as provided for members of committees of the legislative council ~~under section 54-35-10~~. The legislative council shall pay the compensation for the legislative members of the regulatory reform review commission. The public service commission shall pay the expenses of the member of the public service

1 commission serving on the regulatory reform review commission and of the public service
2 commission staff providing technical assistance while carrying out their duties.

3 **SECTION 16. AMENDMENT.** Subdivision a of subsection 4 of section 49-23-03 of the
4 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

- 5 a. The nonprofit corporation must be incorporated by seventeen initial
6 incorporators, with one member representing the house of representatives
7 and one member representing the senate appointed by the legislative council,
8 one member representing telecommunications companies offering local
9 exchange service to fewer than fifty thousand subscribers, one member
10 representing telecommunications companies offering local exchange service
11 to fifty thousand or more subscribers, one member representing rural water
12 systems, one member representing rural electric cooperatives, one member
13 representing investor-owned electric utilities, one member representing
14 investor-owned natural gas utilities, one member representing cable television
15 systems, one member representing cities with a population of fewer than five
16 thousand, one member representing cities with a population of at least five
17 thousand, one member representing counties, one member representing
18 underground interstate carriers of gas, one member representing interstate
19 carriers of petroleum, one member representing interstate carriers of
20 telecommunications services, one member representing contractors who
21 perform excavation services, and one member representing the production
22 sector of the American petroleum institute. The initial incorporators must
23 represent and be designated by operators, excavators, and other persons
24 eligible to participate in the center. The legislative members are entitled to the
25 same compensation and expenses as provided for members of committees of
26 the legislative council ~~under section 54-35-10~~. The legislative council shall
27 pay the compensation for the legislative members.

28 **SECTION 17. AMENDMENT.** Section 54-03-10 of the North Dakota Century Code is
29 amended and reenacted as follows:

30 **54-03-10. Compensation of speaker, majority and minority leaders, assistant**
31 **majority and minority leaders, committee chairmen, and employees.** The speaker of the

house, the house majority leader, the senate majority leader, the house minority leader, and the senate minority leader ~~shall~~ are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, ~~the~~ an additional sum ~~of ten dollars~~ per day for each calendar day during any regular, special, or organizational session, as determined by the legislative compensation commission. Chairmen of the substantive standing committees, the house assistant majority leader, the senate assistant majority leader, the house assistant minority leader, and the senate assistant minority leader ~~shall~~ are entitled to receive additional compensation ~~of five dollars~~, as determined by the legislative compensation commission, for each calendar day during any regular, special, or organizational session. The additional compensation provided by this section must be paid in the manner provided in section 54-03-20. The legislative assembly, by concurrent resolution, shall fix the compensation of the other officers and employees elected or appointed.

SECTION 18. AMENDMENT. Section 54-03-19.1 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-03-19.1. Legislative compensation commission - Appointment of members.

1. The legislative compensation commission shall develop recommendations for a long-term policy on legislative compensation, expense allowance, and insurance benefits, and recommend appropriate levels of compensation, expense allowance, and insurance benefits to be paid to or on behalf of members of the legislative assembly.
2. The governor shall appoint five members to the commission. No more than three appointees may represent the same political party. No member of the commission may hold state office or serve in state government in any capacity at the time of appointment or during service on the commission. The members must be appointed for a term of four years, and the governor shall appoint one of the members chairman of the commission.

SECTION 19. AMENDMENT. Section 54-03-19.2 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-03-19.2. Meetings - Powers and duties - Expenses. The commission shall meet at the call of the chairman as often as may be necessary, but at least once during each biennium. The commission shall determine levels of legislative compensation, expense

allowance, and insurance benefits to be paid for service upon interim committees and during legislative sessions, which permit citizens to hold legislative office without undue financial sacrifice or disadvantage. In formulating ~~recommendations~~ levels of compensation, expense allowances, and insurance benefits, the commission may consult with the leadership of the legislative assembly, and review compensation, expense allowance, and insurance benefits for legislative service in other states and in other areas of state and federal service and private industry. ~~The~~ By December 1, 1998, and December first of each subsequent even-numbered year, the commission shall report its findings and recommendations regarding legislative compensation policy to the legislative assembly. ~~The commission may file with the legislative council a bill incorporating its recommendations.~~ The levels determined regarding legislative compensation, expense allowance, and insurance benefits will become effective on December first of each even-numbered year and remain effective unless disapproved by a concurrent resolution adopted by a sixty percent vote of the members-elect of each house within thirty days after the convening of the subsequent legislative assembly. If the legislative assembly disapproves of the recommendations of the commission, the levels of legislative compensation, expense allowances, and insurance benefits revert to the levels in effect before December first of the preceding year. Members of the legislative compensation commission must be compensated for time spent in attendance at meetings of the commission and for other travel as approved by the chairman of the legislative council at the rate of sixty-two dollars and fifty cents per day and must be reimbursed for their actual and necessary expenses incurred in the same manner as other state officials. The expense allowance must be paid from appropriations then in effect for the legislative assembly. The commission may solicit the assistance of the staff of the legislative council to provide information, aid, and assistance in carrying out its duties.

SECTION 20. AMENDMENT. Section 54-03-20 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-03-20. Compensation and expense reimbursement of members of the legislative assembly. Each member of the legislative assembly of the state of North Dakota is entitled to receive as compensation for services in the sum of ninety dollars determined by the legislative compensation commission for each calendar day during any organizational, special, or regular legislative session. Each member of the legislative assembly is entitled to receive

1 reimbursement for lodging, which may not exceed a the maximum of six hundred dollars
2 amount determined by the legislative compensation commission per calendar month for lodging
3 in state, at the rates and in the manner provided in section 44-08-04 for each calendar day
4 during the period of any organizational, special, or regular session. Members of the legislative
5 assembly who receive reimbursement for lodging are also entitled to reimbursement for travel
6 for not to exceed one round trip taken during any calendar week, or portion of a week, the
7 legislative assembly is in session, between their residences and the place of meeting of the
8 legislative assembly, at the rate provided for state employees with the additional limitation that
9 reimbursement for travel by common carrier may not exceed thirty-five cents per mile based
10 upon air mileage. A member of the legislative assembly who does not receive reimbursement
11 for lodging and whose place of residence in the legislative district that the member represents is
12 not within the city of Bismarck is entitled to reimbursement at the rate provided for state
13 employees for necessary travel for not to exceed one round trip taken per day between the
14 residence and the place of meeting of the legislative assembly when it is in session and may
15 receive reimbursement for lodging at the place of meeting of the legislative assembly as
16 provided in section 44-08-04 for each calendar day for which round trip travel reimbursement is
17 not claimed, provided that the total reimbursement may not exceed ~~six hundred dollars per~~
18 ~~month~~ the maximum amount determined by the legislative compensation commission. The
19 amount to which each legislator is entitled must be paid following the organizational session in
20 December and following each month during a regular or special session.

21 A day, or portion of a day, spent in traveling to or returning from an organizational,
22 special, or regular session must be included as a calendar day during a legislative session for
23 the purposes of this section.

24 In addition, each member is entitled to receive during the term for which the member
25 was elected, as compensation for the execution of public duties during the biennium, ~~the a~~
26 ~~monthly sum of one hundred eighty dollars a month~~ determined by the legislative compensation
27 commission, which is payable every six months. If a member dies or resigns from office during
28 the member's term, the member may be paid only the allowances provided for in this section for
29 the period for which the member was actually a member.

30 Attendance at any organizational, special, or regular session of the legislative assembly
31 by any member is a conclusive presumption of entitlement as set out in this section and

1 compensation and expense allowances must be excluded from gross income for income tax
2 purposes to the extent permitted for federal income tax purposes under section 127 of the
3 Economic Recovery Tax Act of 1981 [Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 162(i)].

4 **SECTION 21. AMENDMENT.** Subsection 4 of section 54-06-25 of the 1995
5 Supplement to the North Dakota Century Code is amended and reenacted as follows:

- 6 4. The members of the legislative assembly who are commission members are
7 entitled to receive compensation from the legislative council for each day in
8 attendance at commission meetings in the same manner as provided in ~~section~~
9 ~~54-35-10~~ for members of the legislative council and reimbursement from the
10 legislative council for travel and other necessary expenses incurred in performing
11 commission duties in the amounts provided for state employees under section
12 54-06-09. The state employee members of the commission are entitled to receive
13 reimbursement for necessary expenses incurred in attending commission meetings
14 at the rates provided for state employees under section 54-06-09 and may not be
15 assessed any annual leave or loss of salary for attendance at meetings of the
16 commission. The employing agency of state employee members shall pay their
17 expenses.

18 **SECTION 22. AMENDMENT.** Section 54-24.3-02 of the 1995 Supplement to the North
19 Dakota Century Code is amended and reenacted as follows:

20 **54-24.3-02. Committee - Membership - Compensation.** The superintendent of public
21 instruction shall appoint a seven-member statewide library planning committee. The members
22 must include a state legislator; a representative of the superintendent of public instruction; a
23 representative of the state library; a representative of a school library media center; a
24 representative of a college or university library; a representative of a public library; and a
25 representative of a special library. The term of office for each member of the committee is three
26 years and no person may serve more than two 3-year terms. The superintendent of public
27 instruction shall stagger the terms so that initially, three members are appointed for three years,
28 three members are appointed for two years, and one member is appointed for one year. Each
29 member of the committee is entitled to receive ~~the same~~ sixty-two dollars and fifty cents per day
30 compensation ~~as provided for members of the legislative council under section 54-35-10,~~
31 together with expenses as provided in sections 44-08-04 and 54-06-09, while attending

meetings or performing duties directed by the committee, except that no compensation may be paid to any committee member who receives compensation or salary as a regular state employee or official.

SECTION 23. AMENDMENT. Section 54-35-10 of the North Dakota Century Code is amended and reenacted as follows:

54-35-10. Compensation of members and leadership.

1. The members of the council and the members of any committee of the council ~~must~~ are entitled to be compensated for the time spent in attendance at sessions of the council and of its committees at the rate ~~of sixty-two dollars and fifty cents per day~~ determined by the legislative compensation commission and must also be paid for expenses incurred in attending said meetings and in the performance of their official duties in the amounts provided by law for other state officers.
2. In addition to the compensation provided in subsection 1, the chairman of the council ~~shall~~ is entitled to receive an additional ~~five-dollars~~ sum for each day spent in attendance at sessions of the council and of its committees, and the chairman of each of the council's committees ~~shall~~ is entitled to receive ~~five-dollars~~ an additional sum as determined by the legislative compensation commission for each day spent in attendance at sessions of the council or of the committee which the person chairs.

SECTION 24. AMENDMENT. Section 54-35.2-04 of the North Dakota Century Code is amended and reenacted as follows:

54-35.2-04. Finances.

1. A member of the advisory commission on intergovernmental relations who is a member of the legislative assembly is entitled to receive, from funds available to the commission, compensation per day for each day spent in attendance at commission meetings in the same amount as provided ~~in section 54-35-10~~ for members of the legislative council and reimbursement for travel and other necessary expenses incurred in the performance of official duties in the amounts provided by law for other state officers. Members of the advisory commission on intergovernmental relations who are appointed by an organization representing

political subdivisions may be reimbursed for attendance at commission meetings by the organization by which they were appointed.

2. The commission may apply for, contract for, receive, and expend for its purposes any appropriation or grant from any public or private source.

3. Political subdivisions of the state may appropriate funds to the commission to share in the cost of its operations.

SECTION 25. AMENDMENT. Subsection 6 of section 54-52-03 of the 1995

Supplement to the North Dakota Century Code is amended and reenacted as follows:

6. The members of the board are entitled to receive sixty-two dollars and fifty cents per day compensation ~~as provided in section 54-35-10 for members of the legislative council~~ and necessary mileage and travel expenses as provided in sections 44-08-04 and 54-06-09. This is in addition to any other pay or allowance due the chairman or a member, plus an allowance for expenses they may incur through service on the board.

SECTION 26. AMENDMENT. Section 61-02-12 of the North Dakota Century Code is amended and reenacted as follows:

61-02-12. Compensation and expenses of appointive members of commission.

Each appointive member of the commission ~~shall~~ is entitled to receive ~~the same~~ sixty-two dollars and fifty cents compensation per day and must be reimbursed for expenses in the ~~same~~ amounts ~~as provided for in section 54-35-10 for members of the legislative council~~ sections 44-08-04 and 54-06-09 while attending meetings of the commission or, at the discretion of the member, ~~shall~~ may receive either per diem compensation or expenses in ~~the~~ those amounts ~~provided in section 54-35-10~~ while otherwise engaged in official business of the commission, including time of travel between home and the place at which the member performs such duties.

SECTION 27. AMENDMENT. Section 61-04.1-07 of the North Dakota Century Code is amended and reenacted as follows:

61-04.1-07. Board officers - Compensation. All members of the board, with the exception of the chairman, ~~shall be~~ are voting members. The board shall elect annually from its membership a chairman, vice chairman, and secretary. A majority of the members ~~shall~~ constitute a quorum for the purpose of conducting the business of the board. Board members

who are not full-time salaried employees of this state ~~shall~~ are entitled to receive compensation in the amount provided in subsection 1 of section 54-35-10, of sixty-two dollars and fifty cents per day and shall must be reimbursed for their mileage and expenses in the amounts provided by sections 44-08-04 and 54-06-09. All other members of the board ~~shall~~ must be reimbursed for necessary travel and other expenses incurred in the performance of the business of the board in the amounts provided in sections 44-08-04 and 54-06-09.

SECTION 28. AMENDMENT. Section 61-06-22 of the North Dakota Century Code is amended and reenacted as follows:

61-06-22. Directors and officers - Salary, mileage, and expenses. The compensation for each director per day while performing duties as a member of the board ~~shall~~ must be fixed by the board of directors, but ~~shall~~ may be no more than ~~the compensation~~ sixty-two dollars and fifty cents per day as provided for in section 54-35-10 for members of the legislative council. The allowance for meals and lodging expenses ~~shall~~ must be at the same rate and under the same conditions as provided for state officials and employees. The allowance for travel expenses ~~shall~~ must be at the same rate as provided by section 11-10-15 and ~~shall~~ must be evidenced by a subvoucher or receipt, in a manner determined by the board of directors. The salary of the secretary, assessor, and treasurer ~~shall~~ must be determined by the board of directors.

SECTION 29. AMENDMENT. Section 61-24-04 of the North Dakota Century Code is amended and reenacted as follows:

61-24-04. Compensation of directors. Each member of the board of directors of the district ~~shall is entitled to~~ receive from the district ~~the same~~ sixty-two dollars and fifty cents compensation per day and ~~shall~~ must be reimbursed for the member's expenses in the ~~same~~ amounts ~~as provided for in section 54-35-10 for members of the legislative council~~ sections 44-08-04 and 54-06-09 while attending meetings of the board or otherwise engaged in the official business of the district.

SECTION 30. AMENDMENT. Section 61-24.5-04 of the North Dakota Century Code is amended and reenacted as follows:

61-24.5-04. Board of directors - Officers - Meetings - Compensation. The authority must be governed by a board of directors who must be chosen in accordance with ~~the~~ provisions of this chapter. At the first election after the initial board of directors has been

1 appointed, two directors must be elected from each county within the authority, and three
2 directors must be elected in the city of Dickinson. The two directors from Stark County may not
3 be residents of the city of Dickinson. The board shall elect from the directors a chairman, vice
4 chairman, and secretary. A majority of the directors constitutes a quorum for the purpose of
5 conducting the business of the board. The board shall meet at the time and place designated
6 by the secretary. Board members ~~shall~~ are entitled to receive compensation in the amount not
7 to exceed ~~the amount provided for by subsection 1 of section 54-35-10~~ sixty-two dollars and
8 fifty cents per day, and must be reimbursed for their mileage and expenses in the amount
9 provided for by sections 44-08-04 and 54-06-09.

10 **SECTION 31. EFFECTIVE DATE.** Sections 1 through 18 and sections 20 through 30
11 of this Act become effective on December 1, 1998.