

Fifty-fifth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Monday, the sixth day of January, one thousand nine hundred and ninety-seven

SENATE BILL NO. 2052
(Appropriations Committee)
(At the request of the Legislative Compensation Commission)

AN ACT to amend and reenact sections 4-09-03.1, 4-10.2-05, 4-10.3-05, 4-10.4-05, 4-10.5-04, 4-10.6-04, subsection 3 of section 4-27-05, section 4-28-05, the new section as provided by section 5 of Senate Bill No. 2124, sections 12-59-02, 15-10-08, 21-10-01, 23-01-02, 23-18.2-04, 24-02-37.1, subsection 2 of section 25-02-01.1, sections 25-04-20, 43-12.1-07, 43-35-07, 49-21-22.1, subdivision a of subsection 4 of section 49-23-03, subsection 13 of the new section to chapter 50-01.2 as created by section 2 of House Bill No. 1041, section 54-03-19.1, subsection 4 of section 54-06-25, the new section as provided by section 4 of Senate Bill No. 2298, sections 54-24.3-02, 54-24.4-02 as created by section 19 of House Bill No. 1035, 54-35.2-04, subsection 6 of section 54-52-03, the new section as provided by section 4 of Senate Bill No. 2271, sections 61-02-12, 61-04.1-07, 61-06-22, 61-24-04, 61-24.5-04, the new section as provided by section 3 of Senate Bill No. 2239, and the new section to chapter 65-02 as created by section 4 of House Bill No. 1440, of the North Dakota Century Code, relating to compensation and reimbursement of members of various boards, councils, and commissions and the appointment of members of the legislative compensation commission.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

4-09-03.1. State seed arbitration board - Compensation and expenses. The state seed arbitration board consists of the commissioner of agriculture, the director of the North Dakota state university extension service, the director of the North Dakota agricultural experiment station, the chair of the North Dakota seed trade committee of the North Dakota agriculture association, and a representative of a major North Dakota farm organization appointed by the commissioner of agriculture, or their authorized designees. Each board member is entitled to receive ~~the same as~~ per diem compensation ~~as provided for members of the legislative council under section 54-35-10~~ sixty-two dollars and fifty cents, and reimbursement of expenses as provided by law for state officers, while attending meetings or performing duties directed by the board, except that no compensation under this section may 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 4-10.2-05 of the North Dakota Century Code as amended by section 2 of House Bill No. 1199, as approved by the fifty-fifth legislative assembly, is amended and reenacted as follows:

4-10.2-05. Meetings - Quorum - Compensation and expenses of council. A majority of the voting members of the council constitutes a quorum for the transaction of all business in carrying out the duties of the 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 two council members within seven days of receiving such a petition. Each member of the council is entitled to receive ~~the same per diem as compensation as provided for members of the legislative council under section 54-35-10~~ sixty-two dollars and fifty cents per day and to reimbursement of expenses as provided by law for state officers, while attending meetings or performing duties directed by the council. No compensation may be paid under this section to any member who receives compensation or salary as a regular state employee or official.

SECTION 3. AMENDMENT. Section 4-10.3-05 of the North Dakota Century Code as amended by section 8 of House Bill No. 1339, as approved by the fifty-fifth legislative assembly, is amended and reenacted as follows:

4-10.3-05. Meetings - Quorum - Compensation and expenses of council. A majority of the voting members of the council constitutes a quorum for the transaction of all business in carrying out the duties of the council. The chairman shall call meetings of the council. The chairman shall call all special meetings on the petition of three council members within seven days of receiving the petition. Each member of the council; is entitled to receive ~~the same per diem as compensation as provided for members of the legislative council under section 54-35-10,~~ sixty-two dollars and fifty cents per day and to reimbursement of expenses as provided by law for state officers, while attending meetings or performing duties directed by the council. No compensation may be paid under this section to any member who receives compensation or salary as a regular state employee or official.

SECTION 4. 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 5. 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~~ is entitled to receive 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 6. 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 to receive ~~the same as per diem compensation as provided for members of the legislative council under section 54-35-10~~ sixty-two dollars and fifty cents, and reimbursement of expenses as provided by law for state officers, while attending meetings or performing duties directed by the council, except that no compensation under this section may be paid to any member who receives compensation or salary as a regular state employee or official.

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

3. The appointive and elected members of the commission ~~shall~~ are entitled to receive a salary ~~equal to seventy-five percent of the compensation of forty-seven dollars per day as provided in section 54-35-10 for members of the legislative council~~ while actually engaged

in the official duties of the commission, plus their actual expenses at the same rates as other state officials.

SECTION 8. AMENDMENT. Section 4-28-05 of the North Dakota Century Code is amended and reenacted as follows:

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

SECTION 9. AMENDMENT. The new section as provided by section 5 of Senate Bill No. 2124, as approved by the fifty-fifth legislative assembly, is amended and reenacted as follows:

Meetings - Quorum - Compensation of council members. A majority of the voting members of the council ~~constitute~~ constitutes a quorum for the transaction of all business in carrying out the duties of the 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 is entitled to receive ~~the same per diem as~~ compensation ~~as provided for members of the legislative council under section 54-35-10, sixty-two dollars and fifty cents per day~~ and to reimbursement of expenses as provided by law for state officers, while attending meetings or performing duties directed by the council, except that no compensation under this section may be paid to any member who receives compensation or salary as a regular state employee or official.

SECTION 10. AMENDMENT. Section 12-59-02 of the North Dakota Century Code as amended by section 1 of Senate Bill No. 2128, as approved by the fifty-fifth legislative assembly, is amended and reenacted as follows:

12-59-02. Meetings - Compensation. The board shall organize by selecting a chairman. Meetings of the board must be held as often as required to properly conduct the business of the board, but in any event not less than six times per year. The parole board may only take action upon the concurrence of at least two members. Members are entitled to be compensated at the ~~same rate provided for members of the legislative council under section 54-35-10 of~~ sixty-two dollars and fifty cents per day for each day actually and necessarily spent in the performance of their duties as board members plus the same mileage and expenses as are authorized for state officials and employees. The director of the division of parole and probation, or the director's designee, shall be the clerk for the parole board.

SECTION 11. AMENDMENT. Section 15-10-08 of the North Dakota Century Code as amended by section 1 of House Bill No. 1312, as approved by the fifty-fifth legislative assembly, is amended and reenacted as follows:

15-10-08. Compensation of board members - Expenses - Legislative appropriations. Each member of the state board of higher education, except the student member, is entitled to receive ~~as compensation~~ sixty-two dollars and fifty cents per day ~~in the same amount provided for members of the legislative council~~ for each calendar day actually spent devoted to the duties of office, and necessary expenses in the same manner and amounts as other state officials for attending meetings and performing other functions of office. The legislative assembly shall provide adequate funds to carry out the functions and duties of the board.

SECTION 12. AMENDMENT. Section 21-10-01 of the 1995 Supplement to the North 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 13. 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 consumer interests. The governor may select members to the council from recommendations submitted by trade, professional, and consumer organizations. On the expiration of the term of any member, the governor, in the manner provided by this section, shall appoint for a term of three years, persons to take the place of members whose terms on the council are about to expire. The officers of the council must be elected annually. Any state agency may serve in an advisory capacity to the health council at the discretion of the council. The council shall meet at least twice each year and at other times as the council or its chairman may direct. The health council shall have as standing committees any committees the council may find necessary. The chairman of the council shall select the members of these committees. The members of the council 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 their necessary mileage and travel expenses as provided in sections 54-06-09 and 44-08-04 while attending council meetings or in the performance of any special duties as the council may direct. The per diem and expenses must be audited and paid in the manner in which the expenses of state officers are audited and paid. The compensation provided for in this section may not be paid to any member of the council who received salary or other compensation as a regular employee of the state, or any of its political subdivisions, or any institution or industry operated by the state.

SECTION 14. AMENDMENT. Section 23-18.2-04 of the North Dakota Century Code is amended and reenacted as follows:

23-18.2-04. Commissioners of authority - Appointment, compensation, qualifications, tenure. Upon an affirmative vote of the county electors in the election required by section 23-18.2-03, the board of county commissioners shall appoint five persons as commissioners for the authority created in ~~such~~ the county. The commissioners who are first appointed must be designated to serve

for terms of one, two, three, four, and five years, respectively, from the date of their appointment, and thereafter, each commissioner must be appointed for a term of five years, except that all vacancies must be filled for the unexpired term. No commissioner of an authority may be an officer or an employee of the county for which the authority is created. A commissioner shall hold office until ~~his a~~ his a successor has been appointed and has qualified. A commissioner ~~shall~~ is entitled to receive as compensation in the amount provided in subsection 1 of section 54-35-10 ~~sixty-two dollars and fifty cents per day while actually engaged in official duties of the authority and must be reimbursed for mileage and expenses in the amounts provided by sections 44-08-04 and 54-06-09.~~

SECTION 15. AMENDMENT. Section 24-02-37.1 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

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

SECTION 16. AMENDMENT. Subsection 2 of section 25-02-01.1 of the North Dakota Century Code is amended and reenacted as follows:

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

SECTION 17. AMENDMENT. Section 25-04-20 of the North Dakota Century Code is amended and reenacted as follows:

25-04-20. Westwood park assets management committee. The westwood park assets management committee consists of eleven members appointed by the governor as follows: three members of the senate, two from the majority faction and one from the minority faction, and three members of the house of representatives, two from the majority faction and one from the minority faction; a representative of the department of human services; a representative of the department of economic development and finance; a representative of the attorney general's office; the mayor of Grafton; and the governor or the governor's designee. The officers of the westwood park assets management committee must be elected annually. Any state agency may serve in an advisory capacity to the westwood park assets management committee at the discretion of the committee. The committee shall meet at least twice each year and at other times as the committee or its chairman may direct. The legislative members of the committee are entitled to receive the same compensation per day as ~~provided in section 54-35-10~~ established for members of the legislative council assembly for attendance at interim committee meetings and the necessary mileage and travel expenses provided in sections 44-08-04 and 54-06-09 while attending committee meetings or in the performance of such special duties as the committee may direct. The compensation provided for in this section may not be paid to any member of the committee who received salary or other compensation as a regular

employee of the state, or any of its political subdivisions, or any institution or industry operated by the state. The westwood park assets management committee shall act when the legislative assembly is not in session to sell, lease, and otherwise manage the property of westwood park, subject to prior budget section approval. The department of human services shall provide staff services for the westwood park assets committee. Any conveyance made by the committee under this section is exempt from sections 54-01-05.2 and 54-01-05.5.

SECTION 18. AMENDMENT. Section 43-12.1-07 of the North Dakota Century Code is amended and reenacted as follows:

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

SECTION 19. 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~~ is 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 20. 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 commission serving on the regulatory reform review commission and of the public service commission staff providing technical assistance while carrying out their duties.

SECTION 21. AMENDMENT. Subdivision a of subsection 4 of section 49-23-03 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

- a. The nonprofit corporation must be incorporated by seventeen initial incorporators, with one member representing the house of representatives and one member representing the senate appointed by the legislative council, one member representing telecommunications companies offering local exchange service to fewer than fifty thousand subscribers, one member representing telecommunications companies offering local exchange service to fifty thousand or more subscribers, one member representing rural water systems, one member representing rural electric cooperatives, one member representing investor-owned electric utilities, one member

representing investor-owned natural gas utilities, one member representing cable television systems, one member representing cities with a population of fewer than five thousand, one member representing cities with a population of at least five thousand, one member representing counties, one member representing underground interstate carriers of gas, one member representing interstate carriers of petroleum, one member representing interstate carriers of telecommunications services, one member representing contractors who perform excavation services, and one member representing the production sector of the American petroleum institute. The initial incorporators must represent and be designated by operators, excavators, and other persons eligible to participate in the center. The legislative members are entitled to the same compensation and expenses 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.

SECTION 22. AMENDMENT. Subsection 13 of the new section to chapter 50-01.2 of the North Dakota Century Code as created by section 2 of House Bill No. 1041, as approved by the fifty-fifth legislative assembly, is amended and reenacted as follows:

13. Members of a peer review committee are entitled to receive compensation by the department in the ~~same amounts as members of the legislative council~~ amount of sixty-two dollars and fifty cents per day. The county requesting the review shall reimburse the department for one-half of that cost.

SECTION 23. 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 24. AMENDMENT. Subsection 4 of section 54-06-25 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

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

SECTION 25. AMENDMENT. The new section as provided by section 4 of Senate Bill No. 2298, as approved by the fifty-fifth legislative assembly, is amended and reenacted as follows:

Board of directors - Officers - Meetings - Compensation. The board of directors consists of nine members. Except as provided in section 6, each director must reside within the area of the director's county comprising the Devils Lake basin water board. The board of directors shall elect from

the directors a chairman, vice chairman, and secretary. The chairman shall designate the time and place for the board of directors to meet; however, the board of directors shall meet if three directors call for a meeting. The secretary shall notify, by mail, each director of meetings. The board of directors must meet at least once each quarter. A director is entitled to receive as compensation in the amount not to exceed the amount provided for members of the legislative council by section 54-35-10 sixty-two dollars and fifty cents per day and is entitled to be reimbursed for mileage and expenses in the amount provided for state officials by sections 44-08-04 and 54-06-09.

SECTION 26. AMENDMENT. Section 54-24.3-02 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-24.3-02. Committee - Membership - Compensation. The superintendent of public instruction shall appoint a seven-member statewide library planning committee. The members must include a state legislator; a representative of the superintendent of public instruction; a representative of the state library; a representative of a school library media center; a representative of a college or university library; a representative of a public library; and a representative of a special library. The term of office for each member of the committee is three years and no person may serve more than two 3-year terms. The superintendent of public instruction shall stagger the terms so that initially, three members are appointed for three years, three members are appointed for two years, and one member is appointed for one year. Each member of the committee is entitled to receive the same sixty-two dollars and fifty cents per day 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 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 27. AMENDMENT. Section 54-24.4-02 of the North Dakota Century Code as created by section 19 of House Bill No. 1035, as approved by the fifty-fifth legislative assembly, is amended and reenacted as follows:

54-24.4-02. North Dakota library coordinating council - Compensation and expense reimbursement. Each member of the North Dakota library coordinating council is entitled to receive the same per day as compensation as provided for members of the legislative council under section 54-35-10 sixty-two dollars and fifty cents per day, together with expenses as provided in sections 44-08-04 and 54-06-09, while attending meetings or performing duties directed by the council. No compensation may be paid under this section to any council member who receives compensation as a regular state official or employee.

SECTION 28. 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 29. 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 30. AMENDMENT. The new section as provided by section 4 of Senate Bill No. 2271, as approved by the fifty-fifth legislative assembly, is amended and reenacted as follows:

Board of directors - Officers - Meetings - Compensation. The board of directors of a regional water resource district consists of one member from each of the existing water resource districts within the regional district. Each director must be a member of a water resource district board. The regional water resource district board shall elect from the members a chairman, vice chairman, and secretary. The chairman shall designate the time and place for the board to meet; however, the board shall meet if three directors call for a meeting. The secretary shall notify, by mail, each member of meetings. A member is entitled to receive as compensation sixty-two dollars and fifty cents per day from the water resource district the member represents on the regional board ~~in the amount not to exceed the amount provided for members of the legislative council by section 54-35-10~~ and is entitled to be reimbursed for mileage and expenses in the amount provided for state officials by sections 44-08-04 and 54-06-09.

SECTION 31. 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 32. 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 4 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 33. 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 34. 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 35. 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 appointed, two directors must be elected from each county within the authority, and three directors must be elected in the city of Dickinson. The two directors from Stark County may not be residents of the city of Dickinson. The board shall elect from the directors a chairman, vice chairman, and secretary. A majority of the directors constitutes a quorum for the purpose of conducting the business of the board. The board shall meet at the time and place designated by the secretary. Board members ~~shall are entitled to~~ receive compensation in the amount not to exceed ~~the amount provided for by subsection 1 of section 54-35-10~~ sixty-two dollars and fifty cents per day, and must be reimbursed for their mileage and expenses in the amount provided for by sections 44-08-04 and 54-06-09.

SECTION 36. AMENDMENT. The new section as provided by section 3 of Senate Bill No. 2239, as approved by the fifty-fifth legislative assembly, is amended and reenacted as follows:

Compensation and expenses. Each member appointed by the governor is entitled to receive ~~the same as~~ compensation sixty-two dollars and fifty cents per day and must be reimbursed for expenses, while attending meetings of the committee, ~~in the same amounts as provided for in section 54-35-10 for members of the legislative council.~~

SECTION 37. AMENDMENT. The new section to chapter 65-02 of the North Dakota Century Code as created by section 4 of House Bill No. 1440, as approved by the fifty-fifth legislative assembly, is amended and reenacted as follows:

Compensation of board members. A board member is entitled to receive as compensation ~~in the same amount and manner as provided for legislative council committee members under section 54-35-10~~ sixty-two dollars and fifty cents per day. A board member is entitled to reimbursement for mileage and expenses as provided for state officers, but the mileage allowance must equal the federal internal revenue service mileage allowance.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-fifth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2052.

Senate Vote: Yeas 46 Nays 0 Absent 3

House Vote: Yeas 93 Nays 1 Absent 3

Secretary of the Senate

Received by the Governor at _____ M. on _____, 1997.

Approved at _____ M. on _____, 1997.

Governor

Filed in this office this _____ day of _____, 1997,
at _____ o'clock _____ M.

Secretary of State