

Fifty-eighth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2108

Introduced by

Government and Veterans Affairs Committee

(At the request of the Office of Management and Budget)

1 A BILL for an Act to amend and reenact subsection 2 of section 54-06-25 of the North Dakota
2 Century Code, relating to filling state employees compensation commission vacancies.

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

4 **SECTION 1. AMENDMENT.** Subsection 2 of section 54-06-25 of the North Dakota
5 Century Code is amended and reenacted as follows:

6 2. The governor or the governor's designee is a member of the commission and
7 serves as chairman. Four members of the legislative assembly appointed by the
8 chairman of the legislative council are members of the commission. Four state
9 employees are members of the commission, three of whom must be members of
10 the classified service of the state and one of whom must be a member of the
11 nonclassified service of the state. The central personnel division shall conduct the
12 election for the employee representatives. All elected commission members serve
13 for a term of four years and may be reelected for additional terms of office. All
14 appointed commission members serve for a term of two years and may be
15 reappointed for additional terms of office. The state employee members' terms
16 begin on October first of the year they are elected. The terms of office of members
17 who are members of the legislative assembly and the governor's designee begin
18 on October first of each odd-numbered year. Before the conclusion of each term,
19 an election must be held to replace the two members whose terms will end in that
20 year. The terms of those commission members elected on July 1, 1996, expire on
21 September 30, 1999. No more than one employee from the same institution of
22 higher education or agency may serve on the commission at the same time. If two
23 or more employees from the same institution of higher education or agency appear
24 on the ballot at the same time, the employee with the highest vote total is elected

1 to the position. If a member of the commission moves to another agency where
2 another current member of the commission is employed, then the moving member
3 must resign. Vacancies among the elected members on the commission must be
4 filled by the eligible person who received the next highest vote total in the previous
5 election. If the eligible person is not available, the chairman of the commission
6 may call a special election to fill the vacancy for the remainder of the unexpired
7 term of the position vacated. The special election to fill a vacancy in an unexpired
8 term must be conducted in the same manner as provided in this section.
9 Vacancies among the legislative members of the commission may be filled for the
10 remainder of the unexpired term by appointment by the chairman of the legislative
11 council.