

Fifty-ninth  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2130**

Introduced by

Political Subdivisions Committee

(At the request of the Industrial Commission)

1 A BILL for an Act to amend and reenact sections 6-09-02.1, 54-17-03, 54-17.5-02, and  
2 54-17.6-05 of the North Dakota Century Code, relating to the industrial commission's authority  
3 to set the compensation for various advisory boards.

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

5 **SECTION 1. AMENDMENT.** Section 6-09-02.1 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **6-09-02.1. Declaration and finding of public purpose - Bank of North Dakota**  
8 **advisory board of directors.** To enlist the help of private enterprise and to encourage more  
9 active use of the purposes for which the Bank of North Dakota was created, the governor shall  
10 appoint an advisory board of directors to the Bank of North Dakota consisting of seven persons,  
11 at least two of whom must be officers of banks, the majority of the stock of which is owned by  
12 North Dakota residents, and at least one of whom must be an officer of a state or federally  
13 chartered financial institution. The governor shall appoint a chairman, vice chairman, and  
14 secretary from the advisory board of directors. The term of the directors is four years. The  
15 industrial commission shall define the duties ~~and fix the compensation~~ of the advisory board of  
16 directors.

17 **SECTION 2. AMENDMENT.** Section 54-17-03 of the North Dakota Century Code is  
18 amended and reenacted as follows:

19 **54-17-03. Chairman and attorney - Secretary - Employees - Compensation -**  
20 **Bonds.** The governor is the chairman of the industrial commission, and its attorney is the  
21 attorney general. In the transaction of its general business, the commission shall appoint a  
22 secretary and may employ other subordinate officers, employees, and agents, on such terms as  
23 it may deem proper and as, in its judgment, the public interests may require. The commission  
24 may require suitable bonds of its secretary or other subordinate officers, employees, or agents.

1 It shall fix the amount of the compensation of each person so engaged. The compensation,  
2 together with other expenditures for operation and maintenance of the general business of the  
3 commission, must remain within the appropriation available in each year for such purpose. The  
4 commission may set the compensation, within the limits of legislative appropriation, for  
5 members of a board, committee, or council that advises the commission. Notwithstanding any  
6 other provision of law, the compensation for any board, committee, or council member may  
7 include reimbursement for expenses, a salary, a per diem, or a combination of the three, as set  
8 by the commission.

9 **SECTION 3. AMENDMENT.** Section 54-17.5-02 of the North Dakota Century Code is  
10 amended and reenacted as follows:

11 **54-17.5-02. Lignite research council - Compensation.** The industrial commission  
12 shall consult with the lignite research council established by executive order in matters of policy  
13 affecting the administration of the lignite research fund. ~~Members of the lignite research council~~  
14 ~~may receive reimbursement from the lignite research fund for actual and necessary expenses~~  
15 ~~incurred in the performance of their duties, if authorized by the industrial commission.~~

16 **SECTION 4. AMENDMENT.** Section 54-17.6-05 of the North Dakota Century Code is  
17 amended and reenacted as follows:

18 **54-17.6-05. Oil and gas research council - Members.**

- 19 1. The oil and gas research council is composed of seven members, four of whom  
20 must currently be engaged in and have at least five years of active experience in  
21 the oil and natural gas exploration and production industry. The council consists  
22 of:
  - 23 a. Four members appointed by the governor from a list provided by the North  
24 Dakota oil and gas association. The governor may reject the list and request  
25 the association to submit a new list until the appointments are made.
  - 26 b. One member appointed by the governor from a list provided by the North  
27 Dakota association of oil and gas producing counties. The governor may  
28 reject the list and request the association to submit a new list until the  
29 appointment is made.
  - 30 c. The executive director of the North Dakota petroleum council, or the executive  
31 director's designee.

- 1                   d.    A county commissioner from an oil producing county appointed by the
- 2                   governor.
- 3                   e.    The director of the oil and gas division and the state geologist shall serve on
- 4                   the council as advisory nonvoting members.
- 5                2.    Subject to subsection ~~7~~ 6, the terms of office for members of the council are three
- 6                   years but of those first appointed, two serve for one year, two serve for two years,
- 7                   and three serve for three years.
- 8                3.    The council shall select its chairman from among its members.
- 9                4.    The council shall have at least one regular meeting each year and such additional
- 10                  meetings as the chairman determines necessary at a time and place to be fixed by
- 11                  the chairman. Special meetings must be called by the chairman on written request
- 12                  of any three members. Four members constitute a quorum.
- 13                5.    The council shall recommend to the commission the approval of grants, loans, or
- 14                  other financial assistance necessary or appropriate for funding, research,
- 15                  development, marketing, and educational projects or activities and any other
- 16                  matters related to this chapter.
- 17                6.    ~~Each member of the council is entitled to receive reimbursement of expenses in~~
- 18                  ~~performing official duties in amounts provided by law for other state offices.~~
- 19                ~~7.~~   Members of the council appointed by the governor serve at the pleasure of the
- 20                  governor.