

COUNTIES

CHAPTER 107

H. B. No. 601

(Kelly, Leet, Hofstrand, Haugland, Stockman,
(Overbo, Backes, Giffey)

COUNTY FUNDS TRANSFER

AN ACT

To provide for the transfer of certain designated county funds to the county general fund and to repeal chapter 50-04 of the North Dakota Century Code, relating to county poor asylums.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. County Fair Fund—Transfer to County General Fund.) The board of county commissioners of any county in which a county fair has not been held for five consecutive years may transfer any funds in the county fair fund or funds levied or budgeted for county fairs to the county general fund to be used for general county purposes.

§ 2. Funds for County Asylums—Transfer to County General Fund.) Any funds of any county levied or budgeted for the use of county asylums for the poor, as provided for by chapter 50-04 of the North Dakota Century Code, shall be transferred to the general fund of such counties at the effective date of this Act.

§ 3. Repeal.) Chapter 50-04 of the North Dakota Century Code is hereby repealed.

Approved March 2, 1963.

CHAPTER 108

H. B. No. 674
(Baldwin)

CASS COUNTY BOUNDARIES

AN ACT

To amend and reenact section 11-01-10 of the North Dakota Century Code, relating to the name and boundaries of Cass County.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. Amendment.) Section 11-01-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

11-01-10. Cass County.) Beginning at the southwest corner of township one hundred thirty-seven north, range fifty-five west of the fifth principal meridian, a point on the ninth standard parallel; thence east along the ninth standard parallel to the present main channel of the Red River of the North; thence in a northerly direction along the present main channel of the Red River of the North to the intersection of the present main channel of the Red River of the North with the line between townships one hundred forty-three and one hundred forty-four north; thence west along the line between townships one hundred forty-three and one hundred forty-four north to the northwest corner of township one hundred forty-three north, range fifty-five west; thence south along the line between ranges fifty-five and fifty-six west to the southwest corner of township one hundred forty-one north, range fifty-five west, a point on the tenth standard parallel; thence east along the tenth standard parallel to the northwest corner of township one hundred forty north, range fifty-five west; thence continuing south along the line between ranges fifty-five and fifty-six west to the point of beginning.

Approved March 9, 1963.

CHAPTER 109

S. B. No. 95

(Mutch, Reichert, Kautzmann)

CONSOLIDATION OF COUNTIES

AN ACT

To amend and reenact sections 11-05-07, 11-05-08, and 11-05-15 of the North Dakota Century Code, relating to the consolidation of counties.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. **Amendment.)** Section 11-05-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

11-05-07. Affirmative Vote Necessary to Consolidate Counties.) If fifty-five percent of the legal votes cast on the question of consolidation in each of the counties affected shall be in favor of consolidation, all of the territory included within the established boundaries of the petitioning county shall be consolidated with and annexed to the adjoining county or counties described in the petition or petitions.

§ 2. **Amendment.)** Section 11-05-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

11-05-08. Resubmission of Question.) The proposition of consolidation shall not be voted upon more often than once in three years.

§ 3. **Amendment.)** Section 11-05-15 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

11-05-15. Officers of Petitioning County to Hold Office Until Time Expires—Duties.) All the county officers of the petitioning county shall continue to hold their offices until their respective terms of office shall expire and shall perform such duties as may be assigned to them by the boards of county commissioners of the annexed and consolidated counties.

Approved March 18, 1963.

CHAPTER 110

S. B. No. 93

(Longmire, Lips, Sorlie, Mahoney, Trenbeath, Erickson)

COUNTY OFFICERS' TERMS

AN ACT

To amend and reenact section 11-10-02 of the North Dakota Century Code Supplement, relating to the election and terms of office of certain county officers.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. **Amendment.)** Section 11-10-02 of the North Dakota Century Code Supplement is hereby amended and reenacted to read as follows:

11-10-02. Number and Election of Officers.) Each organized county, unless it has adopted one of the optional forms of county government, provided by the code, shall have the following officers:

1. One county auditor;
2. One register of deeds;
3. One clerk of the district court;
4. One state's attorney;
5. One sheriff;
6. One county judge;
7. One county treasurer;
8. One coroner;
9. One county superintendent of schools;
10. One or more county justices as provided in chapter 27-18;
11. Four constables;
12. One public administrator; and
13. A board of county commissioners consisting of three or five members as provided in this title.

In counties having a population of more than six thousand and not more than fifteen thousand, the county judge shall be an ex officio clerk of the district court, and in counties having a population of six thousand or less, the register of deeds shall be ex officio clerk of the district court and county judge. The required officers shall be chosen by the qualified electors of the respective counties at the general election in each even numbered year, except the register of deeds, county auditor, treasurer, sheriff, state's attorney, county judge, and clerk of the district court, who shall be chosen in 1966 and every four years thereafter, the members of the board of county commis-

sioners, who shall be chosen in the manner prescribed in section 11-11-02, the public administrator, who shall be chosen in the manner prescribed in section 11-21-01, the county justice, who shall be chosen in the manner prescribed in section 27-18-01, the county coroner, who shall be chosen in the manner prescribed in section 11-19A-03, and the constables, who shall be appointed by the board of county commissioners.

Approved March 4, 1963.

CHAPTER 111

S. B. No. 217

(Redlin, Becker, Foss, Mahoney)

COUNTY SUPERVISOR OF ASSESSMENTS

AN ACT

Providing for the appointment of a county supervisor of assessments.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. County Supervisor of Assessments — Appointment.)

The board of county commissioners of each county may appoint a county supervisor of assessments who shall serve at the pleasure of the county commissioners. The compensation of such supervisor shall be determined by the county commissioners and such position may be either on a full-time or part-time basis in their discretion. The county commissioners may appoint as supervisor of assessments either the county auditor or a deputy county auditor or other elected county official, or any other person who is qualified. It shall be the responsibility of the county supervisor of assessments to supervise all assessors in the county to insure that uniform methods and procedures of real and personal property assessments are adhered to and to require them to conform to all state laws and to all rules and regulations regarding assessment methods and procedures as may be promulgated by the state tax commissioner or the board of county commissioners.

Approved March 16, 1963.

CHAPTER 112

H. B. No. 569

(Mueller, Anderson (McHenry), Dahl)

COUNTY OFFICERS' BONDS

AN ACT

To amend and reenact section 11-10-06 of the North Dakota Century Code, to provide that county justices shall be bonded for the faithful discharge of their duties, and declaring an emergency.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. **Amendment.)** Section 11-10-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

11-10-06. Bonds of County Officers.) Before entering upon the duties of their respective offices, the county officers herein named shall be bonded for the faithful discharge of their respective duties in the same manner as other civil officers are bonded and in the following amounts:

1. The county auditor, clerk of the district court, register of deeds, and sheriff, fifteen thousand dollars, except in counties having a population of less than ten thousand inhabitants, and in such counties, the amount shall be ten thousand dollars;
2. A county commissioner, two thousand dollars;
3. The county coroner, or a county constable, five hundred dollars;
4. The state's attorney, three thousand dollars;
5. The county surveyor, such amount, not to exceed two thousand dollars, as may be determined by the board of county commissioners;
6. The public administrator, not less than ten thousand dollars;
7. The county treasurer, an amount fixed by the board of county commissioners, which amount shall be not less than seventy-five thousand dollars, except in counties having a population of less than ten thousand inhabitants, and in such counties, not less than forty thousand dollars. When the total amount of taxes to be collected by the county treasurer in any one year is less than the minimum amount of bond specified in this subsection, the bond shall be in a sum equal to the amount of taxes to be collected;
8. A county justice, ten thousand dollars.

When the amount of any bond required under this section is dependent upon the population of a county, such population shall be determined as provided in section 11-10-10.

§ 2. Emergency.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved February 8, 1963.

CHAPTER 113

S. B. No. 238
(Longmire)

COUNTY OFFICERS' DEPUTIES

AN ACT

To amend and reenact section 11-10-11 of the North Dakota Century Code, relating to appointment and salary of deputies and clerks.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. Amendment.) Section 11-10-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

11-10-11. Appointment and Salary of Deputies and Clerks.)

The number and salaries of deputies, clerks, and assistants for the county auditor, county treasurer, sheriff, register of deeds, county judge, and clerk of the district court shall be fixed by a resolution of the board of county commissioners. None of the officers mentioned in this section shall appoint as his deputy any other officer mentioned in this section nor the deputy of any such officer. The board of county commissioners upon written recommendation and approval of the state's attorney may appoint one or more assistant state's attorneys or clerks and fix their compensation in the same manner as in the case of deputies and clerks in other county offices. The work of such assistant state's attorneys shall be assigned by the state's attorney.

Approved March 9, 1963.

CHAPTER 114

S. B. No. 111

(Baeverstad, Longmire)

RECORDING OF INSTRUMENTS

AN ACT

To amend and reenact subsection 3 of section 11-18-03 of the North Dakota Century Code, relating to documents transferring ownership of real estate which must be presented to the county auditor's office prior to being placed of record.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. Amendment.) Subsection 3 of section 11-18-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

3. A final decree of distribution or any order terminating joint tenancy or any judgment or decree affecting title to real estate, which must be presented to the auditor's office prior to being placed of record in order to allow the auditor to make such changes in the tax rolls of his office as may be necessary;

Approved March 6, 1963.

CHAPTER 115

S. B. No. 242

(Sorlie, Roen)

JOINT COUNTY PARK DISTRICTS

AN ACT

To amend and reenact section 11-28-12 of the North Dakota Century Code, relating to the formation of joint county park districts.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. Amendment.) Section 11-28-12 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

11-28-12. Joint County Park District.) Two or more contiguous or adjacent counties may form a joint county park district by resolution duly adopted by the board of county commissioners of each county affected. Contiguity of counties shall

not be affected by intervening waters. The powers of such joint county park district shall be exercised by a board of park commissioners chosen as follows:

The board of county commissioners of each county comprising such joint county park district shall select two members of such joint board, of whom one shall be a member of such board of county commissioners, and such joint board shall select one additional member at large. Each member of the joint park board shall serve for a term of two years and until his successor is selected and qualified.

Approved March 6, 1963.