

Fifty-fifth  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1088**

Introduced by

Representatives Jacobs, Kempenich, Sabby

Senators Krauter, Heitkamp

1 A BILL for an Act to amend and reenact section 4-22-22 of the North Dakota Century Code,  
2 relating to the compensation of soil conservation district supervisors.

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

4 **SECTION 1. AMENDMENT.** Section 4-22-22 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **4-22-22. Supervisors - Terms of office - Vacancies - Removal - Compensation -**  
7 **Expenses.** At the general election to be held in 1972, three district supervisors must be  
8 elected. The candidate receiving the largest number of votes is elected for a six-year term; the  
9 candidate receiving the second highest number of votes is elected for a four-year term; and the  
10 candidate receiving the third highest number of votes is elected for a two-year term. At each  
11 succeeding general election, one supervisor must be elected for a term of six years, or until the  
12 successor is duly elected and qualified, to each expiring or vacant term. In newly formed  
13 districts, three supervisors must be elected at the first general election following the district's  
14 organization. The candidate receiving the largest number of votes is elected for a six-year  
15 term; the candidate receiving the second highest number of votes is elected for a four-year  
16 term; and the candidate receiving the third highest number of votes is elected for a two-year  
17 term. At each succeeding general election, one supervisor must be elected for a term of six  
18 years, or until the successor is duly elected and qualified, to each expiring or vacant term. The  
19 county auditor of the county or counties in which the district lies shall return to the secretary of  
20 state within fifteen days following any general election a certified abstract of the votes cast in  
21 the county at ~~such~~ the election for each candidate for district supervisor. At the time that the  
22 county auditor transmits the certified abstract of the votes cast for each candidate, the county  
23 auditor shall file with the secretary of state a certificate showing the name and address of each  
24 candidate.

1 In order to be eligible for election to the office of supervisor, candidates must be land  
2 occupiers and physically living in the district. Candidates must be elected on a nonpartisan  
3 ballot. In case the office of any supervisor, for any reason, becomes vacant, the remaining  
4 members of the board of supervisors shall, with the advice and consent of the state committee,  
5 fill the vacancy by appointment. If vacancies occur in the office of two supervisors, the  
6 remaining supervisor and the state committee shall fill the vacancy; and in case the offices of all  
7 supervisors of a district become vacant, the state committee shall fill the vacancies by  
8 appointment. A supervisor appointed to fill a vacancy holds office until the next general  
9 election. A supervisor elected to fill a vacancy serves the balance of the unexpired term in  
10 which the vacancy occurred.

11 Any soil conservation district, upon resolution of the three elected supervisors, may  
12 appoint two additional supervisors who shall serve for a term of one year from and after the  
13 date of their appointment. Such supervisors must be appointed by a majority of the three  
14 elected supervisors and have all the powers, voting privileges, duties, and responsibilities of  
15 elected supervisors, except that the expense allowances of the appointed supervisors must be  
16 paid by the local soil conservation district concerned. As far as possible, the appointed  
17 supervisors shall represent interests within the district which are not represented by the elected  
18 supervisors.

19 Any supervisor of a soil conservation district may, after notice given and hearing held in  
20 accordance with chapter 28-32, be removed from office by the state committee.

21 The supervisors of soil conservation districts are entitled to receive, upon a majority vote  
22 of the supervisors, up to twenty-five dollars for attending each regular or special meeting or for  
23 attending other meetings or events in the performance of their official duties as compensation  
24 for their services. Supervisors of soil conservation districts are entitled to receive travel and  
25 subsistence expenses necessarily incurred in attending district, state, or other meetings  
26 ~~approved by the state soil conservation committee, which expenses must be paid from~~  
27 ~~appropriations available to the state committee.~~ The compensation and all other expenses  
28 including travel incurred by district supervisors while transacting district business ~~and not~~  
29 ~~specifically authorized by the state soil conservation committee~~ must be paid from district funds.