

Sixty-fourth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1250

Introduced by

Representatives Hanson, Kasper, Louser, Mock, Ruby, Thoreson

Senators Schneider, Unruh

1 A BILL for an Act to amend and reenact section 44-04-21 of the North Dakota Century Code,
2 relating to the publishing of minutes of boards and commissions.

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

4 **SECTION 1. AMENDMENT.** Section 44-04-21 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **44-04-21. Open voting at public meetings required - Results recorded in minutes -**
7 **Publishing of minutes.**

8 1. Unless otherwise specifically provided by law, all votes of whatever kind taken at any
9 public meeting governed by the provisions of section 44-04-19 must be open, public
10 votes, and all nonprocedural votes must be recorded roll call votes, with the votes of
11 each member being made public at the open meeting. Procedural votes must be
12 recorded roll call votes upon the request of any member of a governing body holding a
13 meeting subject to this section. As used in this section, "nonprocedural" should be
14 broadly interpreted and includes all votes that pertain to the merits of the matter before
15 the governing body.

16 2. Minutes must be kept of all open meetings and are records subject to section
17 44-04-18. The minutes must include, at a minimum:

- 18 a. The names of the members attending the meeting;
- 19 b. The date and time the meeting was called to order and adjourned;
- 20 c. A list of topics discussed regarding public business;
- 21 d. A description of each motion made at the meeting and whether the motion was
- 22 seconded;
- 23 e. The results of every vote taken at the meeting; and
- 24 f. The vote of each member on every recorded roll call vote.

- 1 3. Each governing body to which the governor appoints any member shall publish on the
2 governor's office website the minutes of each meeting of the governing body, or a link
3 to the governing body's website, if the governing body's website provides substantially
4 similar information, within sixty days after the meeting.
- 5 4. Minutes must remain on the website for one year after the date of publication on the
6 website.
- 7 5. Notwithstanding subsection 8 of section 44-04-18, the disclosure of minutes kept
8 under this subsection may not be conditioned on the approval of the minutes by the
9 governing body.