

HOUSE BILL NO. 1220

Introduced by

Representatives Sanford, Hanson, D. Johnson, Martinson, Monson, Stemen

Senators Bekkedahl, Krebsbach

1 A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota
2 Century Code, relating to exemptions from open meetings requirements for the state board of
3 higher education; and to amend and reenact subsection 1 of section 15-10-17 of the North
4 Dakota Century Code, relating to exemptions from open meetings requirements for the state
5 board of higher education.

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

7 **SECTION 1. AMENDMENT.** Subsection 1 of section 15-10-17 of the North Dakota Century
8 Code is amended and reenacted as follows:

- 9 1. a. Appoint and remove the president or other faculty head, and the professors,
10 instructors, teachers, officers, and other employees of the several institutions
11 under ~~its~~the board's control, ~~and to fix their~~fix the salaries for those positions
12 within the limits of legislative appropriations ~~therefor~~; and ~~to~~ fix the terms of office
13 and ~~to~~ prescribe the duties ~~thereof~~, ~~provided that the consideration of the~~
14 ~~appointment or removal of any such personnel shall be in executive session if the~~
15 ~~board chooses unless the individual involved requests that the meeting be open~~
16 ~~to other individuals or to the public~~of the positions.
- 17 b. Appoint and remove the commissioner of higher education, fix the
18 commissioner's salary within the limits of legislative appropriations, and prescribe
19 the commissioner's duties.
- 20 c. Appoint and remove all university system office personnel, fix their salaries within
21 the limits of legislative appropriations, fix their terms of office, and prescribe their
22 duties.
- 23 d. The board may hold an executive session to consider the appointment or
24 removal of the commissioner of higher education, or a president or other faculty

1 head, professor, instructor, teacher, officer, or other employee of an institution
2 under the board's control unless the individual involved requests the meeting be
3 open to other individuals or the public.

4 **SECTION 2.** A new section to chapter 15-10 of the North Dakota Century Code is created
5 and enacted as follows:

6 **Quorums of state board of higher education committees.**

- 7 1. The state board of higher education may create committees comprised of voting
8 members of the board. The scope of authority for a committee created under this
9 section must be defined in a policy adopted by the board, and the committee's actions
10 may not exceed that scope.
- 11 2. If a committee comprised of voting members of the board constitutes a quorum of the
12 board, a properly noticed meeting of the committee does not constitute a meeting of
13 the board. Actions of the committee do not constitute actions of the board.
- 14 3. If a committee comprised of voting members of the board constitutes, in whole or in
15 part, a quorum of another committee of the board, a properly noticed meeting of one
16 committee's meeting does not constitute a meeting of the other committee, unless the
17 meeting of the other committee also is properly noticed. Actions taken at the meeting
18 are limited to the scope of authority of the committee for which the meeting was
19 noticed properly.