

**2013 HOUSE POLITICAL SUBDIVISIONS**

**HB 1252**

# 2013 HOUSE STANDING COMMITTEE MINUTES

House Political Subdivisions Committee  
Prairie Room, State Capitol

HB 1252  
January 24, 2013  
Job # 17706

Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

Relating to compensation of township treasurers.

## Minutes:

Testimony 1, 2

**Chairman N. Johnson:** Opened the hearing on HB 1252.

**Rep. Klemin:** Handed out testimony and a handout. (See testimony 1 and Handout 2).

**Larry Syverson, President of NDTOA:** There was never any intention that the bill from last session would mandate that townships would have to pay anybody anything. It is just an option that they can pay anybody if they wanted to. That is all we wanted to do.

**Rep. Kathy Hogan:** Did this create problems at all for you?

**Larry Syverson:** We don't know if anybody noticed it.

Opposition: None

Hearing closed.

**Do Pass Motion Made by Rep. M. Klein: Seconded by Rep. Beadle:**

No discussion.

**Vote: 13 Yes 0 No 0 Absent Carrier: Rep. Muscha:**

Closed

Date: 1-24-13  
 Roll Call Vote #: 1

**2013 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1252**

House Political Subdivisions Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Rep. Klein Seconded By Rep. Beadle

Representatives	Yes	No	Representatives	Yes	No
Chairman Nancy Johnson	✓		Rep. Ben Hanson	✓	
Vice Chairman Patrick Hatlestad	✓		Rep. Kathy Hogan	✓	
Rep. Thomas Beadle	✓		Rep. Jerry Kelsh	✓	
Rep. Matthew Klein	✓		Rep. Naomi Muscha	✓	
Rep. Lawrence Klemin	✓				
Rep Kim Koppelman	—				
Rep. William Kretschmar	—				
Rep. Alex Loosten	✓				
Rep. Andrew Maragos	✓				
Rep. Lisa Meier	✓				
Rep. Nathan Toman	✓				

Total (Yes) 13 No 0

Absent 2

Floor Assignment Rep. Muscha

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**HB 1252: Political Subdivisions Committee (Rep. N. Johnson, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1252 was placed on the Eleventh order on the calendar.**

**2013 SENATE POLITICAL SUBDIVISIONS**

**HB 1252**

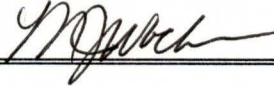
# 2013 SENATE STANDING COMMITTEE MINUTES

## Senate Political Subdivisions Committee Red River Room, State Capitol

HB 1252  
March 15, 2013  
19972

Conference Committee

Committee Clerk Signature



### Explanation or reason for introduction of bill/resolution:

Relating to compensation of township treasurers

### Minutes:

You may make reference to "attached testimony."

Chairman Andrist opened the hearing for HB 1252. All senators were present.

**Rep. Klemin** District 47 Chief sponsor in support of HB 1252. Written testimony #1.

**Senator Howard Anderson** This might be something I am just trying to learn about but the last two lines 14 and 15 seem to say that a township treasurer may not be allowed a percentage on the balance. There must've been at one time some people who did that?

**Larry Klemin** replied I am not sure what the history of that is, perhaps Mr. Severson can give us that information. I put it in there because they don't get a cut I guess.

**Chairman Andrist** I think the law would say the same thing with or without that sentence because I don't think they could give them a cut anyway.

**Larry Severson** President of the North Dakota Township Officers Association; In favor of HB 1152. It was never our intention to mandate that a township pay any officer anything. It was supposed to be a permissive bill and by omission we found that the statute called for the treasurer to be paid \$60 dollars per day. We asked Rep. Klemin to introduce this bill and we're grateful that he did that for us so we can correct that and make it again permissive. In regards to the last line of the treasurer's statute, we did look into that a little bit, and it seems to trace all the way back to the town days of New England and possibly even to England itself. That language has been in the statute regulating treasurers.

**Chairman Andrist** closed the hearing for HB 1252.

Vice Chairman Ronald Sorvaag moved do pass on HB 1252

2<sup>nd</sup> Senator John Grabinger

Role call vote 6 Yea, 0 No, 0 Absent

Carrier Senator Sorvaag

Date: 3-15-2013  
 Roll Call Vote #: 1

**2013 SENATE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1252**

Senate Political Subdivisions Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt  
 Amendment

Rerefer to Appropriations  Reconsider

Motion Made By Sen. Sorvaag Seconded By Sen. Grabinger

Senators	Yes	No	Senator	Yes	No
Chairman John Andrist	✓		Senator Jim Dotzenrod	✓	
Vice- Chairman Ronald Sorvaag	✓		Senator John Grabinger	✓	
Senator Judy Lee	✓				
Senator Howard Anderson, Jr.	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen. Sorvaag

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**HB 1252: Political Subdivisions Committee (Sen. Andrist, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1252 was placed on the Fourteenth order on the calendar.



**2013 TESTIMONY**

**HB 1252**

#1

TESTIMONY OF REP. LAWRENCE R. KLEMIN  
HOUSE POLITICAL SUBDIVISIONS COMMITTEE  
HOUSE BILL NO. 1252  
JANUARY 24, 2013

Madame Chairman and members of the House Political Subdivisions Committee. I am Lawrence R. Klemin. Representative from District 47 in Bismarck. I am here to testify in support of House Bill 1252.

In the 2011 Session of the Legislature, we amended Section 58-06-01 to provide that a township supervisor is entitled to receive "up to" \$60 per day for services rendered, with maximum annual pay at \$2,000. The electors decide what the pay should be at the annual township meeting. A similar change was made to Section 58-07-01 relating to the township clerk. However, the amendment to Section 58-08-01 relating to the township treasurer omitted the "up to" language. HB 1252 corrects this error so that all of the township officers are treated the same in the statutes for purposes of compensation.

Set out below are the three statutes for township supervisor, clerk, and treasurer compensation. I encourage you to give favorable consideration to HB 1252.

58-06-02. Compensation of supervisors.

A township supervisor is entitled to receive as compensation for services **up to sixty dollars a day** for each day necessarily devoted to the work of a supervisor's office not exceeding two thousand dollars in a calendar year. The electors of the township shall establish the daily compensation rate for township supervisors at each annual township meeting. Additional compensation over two thousand dollars may be provided for reimbursement of expenses as provided in section 44-08-04 and for mileage as provided in section 54-06-09 for each mile [1.61 kilometers] necessarily traveled in the performance of a supervisor's duties.

58-07-01. Compensation of clerk.

The township clerk is entitled to receive as compensation for services **up to sixty dollars a day** for each day necessarily devoted to the work of the clerk's office not exceeding two thousand dollars in a calendar year. The electors of the township shall establish the daily compensation rate for the township clerk at each annual township meeting. Additional compensation over two thousand dollars may be provided for reimbursement of expenses as provided in section 44-08-04 and for mileage as provided in section 54-06-09 for each mile [1.61 kilometers] necessarily traveled in the performance of the clerk's duties. In those townships in which the offices of township clerk and treasurer have been merged, the individual elected to fill the new office is entitled to receive compensation as township clerk only.

58-08-01. Compensation of treasurer.

The township treasurer is entitled to receive as compensation for services **sixty dollars a day** for each day necessarily devoted to the work of the treasurer's office not exceeding two thousand dollars in a calendar year. The electors of the township shall establish the daily compensation rate for the township treasurer at each annual township meeting. Additional compensation over two thousand dollars may be provided for reimbursement of expenses as provided in section 44-08-04 and for mileage as provided in section 54-06-09 for each mile [1.61 kilometers] necessarily traveled in the performance of the treasurer's duties. The township treasurer may not be allowed a percentage on the balance turned over to the treasurer's successor in office.

# 2

**CHAPTER 489****HOUSE BILL NO. 1259**

(Representatives Froseth, Kretschmar, Maragos)  
(Senators J. Lee, Olafson, Dotzenrod)

AN ACT to amend and reenact sections 58-06-02, 58-07-01, and 58-08-01 of the North Dakota Century Code, relating to compensation of township officers.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

**SECTION 1. AMENDMENT.** Section 58-06-02 of the North Dakota Century Code is amended and reenacted as follows:

**58-06-02. Compensation of supervisors.**

A township supervisor is entitled to receive as compensation for services ~~twenty~~ up to sixty dollars a day for each day necessarily devoted to the work of a supervisor's office not exceeding ~~one~~ two thousand dollars in a calendar year. The electors of the township shall establish the daily compensation rate for township supervisors at each annual township meeting. Additional compensation over ~~one~~ two thousand dollars may be provided for reimbursement of expenses and mileage at a rate not exceeding the allowable mileage rate accepted by the United States internal revenue service as provided in section 44-08-04 and for mileage as provided in section 54-06-09 for each mile [1.61 kilometers] necessarily traveled in the performance of a supervisor's duties.

**SECTION 2. AMENDMENT.** Section 58-07-01 of the North Dakota Century Code is amended and reenacted as follows:

**58-07-01. Compensation of clerk.**

The township clerk is entitled to receive as compensation for services ~~twenty~~ up to sixty dollars a day for each day necessarily devoted to the work of the clerk's office not exceeding ~~one~~ two thousand dollars in a calendar year. The electors of the township shall establish the daily compensation rate for the township clerk at each annual township meeting. Additional compensation over ~~one~~ two thousand dollars may be provided for reimbursement of expenses and mileage at a rate not exceeding the allowable mileage rate accepted by the United States internal revenue service as provided in section 44-08-04 and for mileage as provided in section 54-06-09 for each mile [1.61 kilometers] necessarily traveled in the performance of the clerk's duties. In those townships in which the offices of township clerk and treasurer have been merged, the ~~person~~ individual elected to fill the new office is entitled to receive compensation as township clerk only.

**SECTION 3. AMENDMENT.** Section 58-08-01 of the North Dakota Century Code is amended and reenacted as follows:

**58-08-01. Compensation of treasurer.**

The township treasurer is entitled to receive as compensation for services ~~twenty~~ sixty dollars a day for each day necessarily devoted to the work of the

treasurer's office not exceeding ~~one~~two thousand dollars in a calendar year. ~~The electors of the township shall establish the daily compensation rate for the township treasurer at each annual township meeting.~~ Additional compensation over ~~one~~two thousand dollars may be provided for reimbursement of expenses and mileage at a rate not exceeding the allowable mileage rate accepted by the United States internal revenue service ~~as provided in section 44-08-04 and for mileage as provided in section 54-06-09~~ for each mile [1.61 kilometers] necessarily traveled in the performance of the treasurer's duties. The township treasurer may not be allowed a percentage on the balance turned over to the treasurer's successor in office.

Approved April 25, 2011  
Filed April 25, 2011

TESTIMONY OF REP. LAWRENCE R. KLEMIN  
SENATE POLITICAL SUBDIVISIONS COMMITTEE  
HOUSE BILL NO.1252  
MARCH 15, 2013

Mr. Chairman and members of the Senate Political Subdivisions Committee. I am Lawrence R. Klemin. Representative from District 47 in Bismarck. I am here to testify in support of House Bill 1252.

In the 2011 Session of the Legislature, we amended Section 58-06-01 to provide that a township supervisor is entitled to receive "up to" \$60 per day for services rendered, with maximum annual pay at \$2,000. The electors decide what the pay should be at the annual township meeting. A similar change was made to Section 58-07-01 relating to the township clerk. However, the amendment to Section 58-08-01, relating to the township treasurer, omitted the "up to" language. HB 1252 corrects this omission so that all of the township officers are treated the same in the statutes for purposes of compensation.

Set out below are the three statutes for township supervisor, clerk, and treasurer compensation. I encourage you to give favorable consideration to HB 1252.

58-06-02. Compensation of supervisors.

A township supervisor is entitled to receive as compensation for services **up to sixty dollars a day** for each day necessarily devoted to the work of a supervisor's office not exceeding two thousand dollars in a calendar year. The electors of the township shall establish the daily compensation rate for township supervisors at each annual township meeting. Additional compensation over two thousand dollars may be provided for reimbursement of expenses as provided in section 44-08-04 and for mileage as provided in section 54-06-09 for each mile [1.61 kilometers] necessarily traveled in the performance of a supervisor's duties.

58-07-01. Compensation of clerk.

The township clerk is entitled to receive as compensation for services **up to sixty dollars a day** for each day necessarily devoted to the work of the clerk's office not exceeding two thousand dollars in a calendar year. The electors of the township shall establish the daily compensation rate for the township clerk at each annual township meeting. Additional compensation over two thousand dollars may be provided for reimbursement of expenses as provided in section 44-08-04 and for mileage as provided in section 54-06-09 for each mile [1.61 kilometers] necessarily traveled in the performance of the clerk's duties. In those townships in which the offices of township clerk and treasurer have been merged, the individual elected to fill the new office is entitled to receive compensation as township clerk only.

58-08-01. Compensation of treasurer.

The township treasurer is entitled to receive as compensation for services **sixty dollars a day** for each day necessarily devoted to the work of the treasurer's office not exceeding two thousand dollars in a calendar year. The electors of the township shall establish the daily compensation rate for the township treasurer at each annual township meeting. Additional compensation over two thousand dollars may be provided for reimbursement of expenses as provided in section 44-08-04 and for mileage as provided in section 54-06-09 for each mile [1.61 kilometers] necessarily traveled in the performance of the treasurer's duties. The township treasurer may not be allowed a percentage on the balance turned over to the treasurer's successor in office.