

**Fifty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 9, 2001**

HOUSE BILL NO. 1250
(Representatives Berg, D. Johnson, Nicholas)
(Senators Erbele, Heitkamp, Wanzek)

AN ACT to amend and reenact sections 4-10.1-06, 4-10.2-05, 4-10.3-05, 4-10.4-05, 4-10.5-04, 4-10.6-04, and 4-10.7-05, subsection 4 of section 4-18.1-04, subsection 3 of section 4-27-05, and sections 4-28-05 and 4-34-07 of the North Dakota Century Code, relating to compensation for agricultural commodity council members.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 4-10.1-06 of the North Dakota Century Code is amended and reenacted as follows:

4-10.1-06. Meetings - Quorum - Compensation and expenses of council. A majority of the voting members of the council constitutes a quorum for the transaction of all business in carrying out the duties of the council. All meetings of the council must be called by the chairman except special meetings which must be called by the chairman on the petition of three council members within seven days of receiving such a petition. ~~Each~~ The council shall determine the amount of compensation payable to each member of the council, except the chairman, shall receive the sum of twenty five. ~~The amount payable may not exceed seventy-five dollars per day for each day spent in performance of the business of the council, together with traveling plus reimbursement of expenses as provided by law for state officers, while on council business on the same basis as employees of attending meetings or performing duties directed by the commissioner.~~

SECTION 2. AMENDMENT. Section 4-10.2-05 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-10.2-05. Meetings - Quorum - Compensation and expenses of council. A majority of the voting members of the council constitutes a quorum for the transaction of all business in carrying out the duties of the council. All meetings of the council must be called by the chairman except special meetings which must be called by the chairman on the petition of two council members within seven days of receiving such a petition. ~~Each~~ The council shall determine the amount of compensation payable to each member of the council is entitled to receive as compensation sixty two dollars and fifty cents. ~~The amount payable may not exceed seventy-five dollars per day and to plus reimbursement of expenses as provided by law for state officers, while attending meetings or performing duties directed by the council. No compensation may be paid under this section to any member who receives compensation or salary as a regular state employee or official.~~

SECTION 3. AMENDMENT. Section 4-10.3-05 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-10.3-05. Meetings - Quorum - Compensation and expenses of council. A majority of the voting members of the council constitutes a quorum for the transaction of all business in carrying out the duties of the council. The chairman shall call meetings of the council. The chairman shall call all special meetings on the petition of three council members within seven days of receiving the petition. ~~Each~~ The council shall determine the amount of compensation payable to each member of the council is entitled to receive as compensation sixty two dollars and fifty cents. ~~The amount payable may not exceed seventy-five dollars per day and to plus reimbursement of expenses as provided by law for state officers, while attending meetings or performing duties directed by the council. No compensation may be paid under this section to any member who receives compensation or salary as a regular state employee or official.~~

SECTION 4. AMENDMENT. Section 4-10.4-05 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-10.4-05. Meetings - Quorum - Compensation and expenses of council. A quorum is necessary for the transaction of all business in carrying out the duties of the council. The chairman shall call all meetings of the council except special meetings which the chairman shall call on the petition of two council members within seven days of receiving such a petition. ~~Each~~ The council shall determine the amount of compensation payable to each voting member of the council is entitled to receive sixty-two dollars and fifty cents as compensation. The amount payable may not exceed seventy-five dollars per day and necessary mileage and travel expenses as provided in sections 44-08-04 and 54-06-09 plus reimbursement of expenses as provided by law for state officers, while attending council meetings or ~~in the performance of such special performing duties as directed by the council may direct.~~ The compensation provided in this section may not be paid to any member of the council who receives salary or other compensation as a regular employee of the state.

SECTION 5. AMENDMENT. Section 4-10.5-04 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-10.5-04. Meetings - Quorum - Compensation and expenses of council. All meetings of the council must be called by the chairman except special meetings which must be called by the chairman on the petition of three council members within seven days of receiving the petition. ~~Each~~ The council shall determine the amount of compensation payable to each member of the council, except the commissioner, is entitled to receive sixty-two dollars and fifty cents. The amount payable may not exceed seventy-five dollars per day as compensation, together with expenses as provided in sections 44-08-04 and 54-06-09 plus reimbursement of expenses as provided by law for state officers, while attending meetings or performing duties directed by the council, except that no compensation may be paid to any council member who receives compensation or salary as a regular state employee or official.

SECTION 6. AMENDMENT. Section 4-10.6-04 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-10.6-04. Meetings - Compensation and expenses of council. The chairman shall call all meetings of the council. The chairman shall call special meetings on the petition of three council members, within seven days of receiving the petition. ~~Each~~ The council shall determine the amount of compensation payable to each council member is entitled to receive as per diem compensation sixty-two dollars and fifty cents, and. The amount payable may not exceed seventy-five dollars per day plus reimbursement of expenses as provided by law for state officers, while attending meetings or performing duties directed by the council, except that no compensation under this section may be paid to any member who receives compensation or salary as a regular state employee or official.

SECTION 7. AMENDMENT. Section 4-10.7-05 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-10.7-05. Meetings - Quorum - Compensation of council members. A majority of the voting members of the council constitutes a quorum for the transaction of all business in carrying out the duties of the council. All meetings of the council must be called by the chairman except special meetings which must be called by the chairman on the petition of three council members within seven days of receiving the petition. ~~Each~~ The council shall determine the amount of compensation payable to each member of the council is entitled to receive as compensation sixty-two dollars and fifty cents. The amount payable may not exceed seventy-five dollars per day and to plus reimbursement of expenses as provided by law for state officers, while attending meetings or performing duties directed by the council, except that no compensation under this section may be paid to any member who receives compensation or salary as a regular state employee or official.

SECTION 8. AMENDMENT. Subsection 4 of section 4-18.1-04 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4. ~~Each~~ The board shall determine the amount of compensation payable to each member of the board shall receive fifty. The amount payable may not exceed seventy-five dollars per diem for each day actually spent in the performance of the member's official day plus reimbursement for expenses as provided by law for state officers, while attending meetings or performing duties, ~~plus mileage and expenses as are allowed to other state officers, but~~

~~in no event may a~~ directed by the board. A member's per diem payments may not exceed fifteen hundred dollars in any one year.

SECTION 9. AMENDMENT. Subsection 3 of section 4-27-05 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

3. ~~The appointive and elected members of the commission are entitled to receive a salary of forty seven dollars~~ shall determine the amount of compensation payable to each member of the commission. The amount payable may not exceed seventy-five dollars per day plus reimbursement of expenses as provided by law for state officers, while actually engaged in the official duties of attending meetings or performing duties directed by the commission; plus their actual expenses at the same rates as other state officials.

SECTION 10. AMENDMENT. Section 4-28-05 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

4-28-05. Wheat commission - Meeting - Expenses - Legal adviser. Upon call of the governor, the commission shall first meet and organize by electing from the membership a chairman and vice chairman, who shall hold office for one year and until their successors are elected and have qualified. Thereafter the commission shall meet at least once every calendar quarter at such times and places as determined by the commission and may meet in special meetings upon such call and notice as prescribed by rules adopted by the commission. ~~Members of the~~ The commission ~~must be reimbursed for actual~~ shall determine the amount of compensation payable to each member of the commission. The amount payable may not exceed seventy-five dollars per day plus reimbursement of expenses necessarily incurred in as provided by law for state officers, while attending meetings and or performing other official duties on the same basis as other state officers and are entitled to receive as per diem compensation sixty two dollars and fifty cents for each day actually devoted to official business of directed by the commission. The attorney general shall act as legal adviser to the commission or designate an assistant for that purpose and within the limit of the funds available to the commission it may employ other counsel to advise and represent the commission in its affairs and proceedings.

SECTION 11. AMENDMENT. Section 4-34-07 of the North Dakota Century Code is amended and reenacted as follows:

4-34-07. Compensation - Expenses. ~~Commission members shall receive the sum of forty~~ The commission shall determine the amount of compensation payable to each member of the commission. The amount payable may not exceed seventy-five dollars per day for each meeting attended and shall receive necessary plus reimbursement of expenses for meals, lodging, and travel in the same amount and in the same manner as permitted as provided by law for state officials and employees officers, while attending meetings or performing other official duties as directed by the commission. The members of the commission shall receive no other salary or compensation for their service on the commission.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-seventh Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1250.

House Vote: Yeas 95 Nays 0 Absent 3

Senate Vote: Yeas 46 Nays 0 Absent 3

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2001.

Approved at _____ M. on _____, 2001.

Governor

Filed in this office this _____ day of _____, 2001,

at _____ o'clock _____ M.

Secretary of State