

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2345

2005 SENATE POLITICAL SUBDIVISIONS

SB 2345

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2345

Senate Political Subdivisions Committee

☐ Conference Committee

Hearing Date February 3, 2005

| Tape Number | Side A | Side B | Meter # |
|---|--------|--------|-------------|
| 1 | | X | 1065 - 1603 |
| | | | |
| | | | |
| Committee Clerk Signature <i>Shirley Borg</i> | | | |

Minutes:

Chairman Cook opened the hearing on SB 2345 which relating to the compensation of housing authority commission. All committee members (6) present.

Senator Mike Every, represents District 23, which is all of Griggs, all of Nelson, part of Steel, part of Benson and share one half of Eddy County with Senator Fairfield. I was asked to introduce this bill on behalf of our commission in Benson County and the Association of Counties. Recently we had a shake up within housing authority and we think that this bill would help to correct some of the situation. What the bill does is raises the pay of the compensation of commissioners on housing authority up to forty five dollars. I have a copy of the chapter of the code allowing the county commissioners to pay ten dollars a day to these folks and that was approved March 18, 1959. He also had a list of no less that one hundred thirty two boards or commissions that we have in the state and of those commissions according to legislative council most boards pay from sixty two fifty a day up to seventy five dollars a day. (See attachment # 1)

Senator Cook informed the committee members, for the record, that he was Chairman of the Housing Authority and told them if there was any conflict of interest to say so. For the record they don't get paid.

Barry Cox, Benson County Commissioner, testified in support of SB 2345. Benson County had a situation where they had a director who was stealing from the Housing Authority. The board came to the commissioners and asked if they could be paid a little extra while they were in the interim of getting a director. We got into the laws and found out that the last sixteen years they had already been paying more than they legally could. They pay all their boards forty five dollars for one meeting a month. This bill would allow them to receive forty five dollars for their meetings.

Questions:

Chairman Cook : So the money comes out of the county not the housing authority.

Barry Cox: That is right.

Senator Gary Lee: How many members are on the housing authority board?

Barry Cox: Our housing board is appointed by the commission on a five year basis. There are five members on it. We have one county commissioner and four other people from around the county that sit on the board right now.

Chairman Cook: Do you have trouble keeping the board filled?

Barry Cox: We have in the past. It had been really good lately until this problem came along.

Senator Dever: How long is a meeting generally?

Barry Cox: I don't sit on the board so I am not sure but about two hours.

Wade Williams, Association of Counties appeared to answer questions on the bill.

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2345

Senate Political Subdivisions Committee

☐ Conference Committee

Hearing Date February 4, 2005

| Tape Number | Side A | Side B | Meter # |
|---|--------|--------|-------------|
| 2 | X | | 2710 - 4699 |
| | | | |
| | | | |
| Committee Clerk Signature <i>Shirley Long</i> | | | |

Minutes:

Chairman Cook called committee to order. Five members present one absent.

Chairman Cook asked the committee what their wishes were on SB 2345.

Senator Triplett made a motion for a Do Pass.

Senator Dever Seconded the motion.

Discussion:

Senator Triplett: There are a lot of local boards have up to \$45 per day for expenses. You well know a lot of state boards have \$65 up to the legislative rate. The distinction that I think is between county boards and state boards is that any board that is made up of people around the state is going to require a number of people to travel and make an entire day out of something where as most local boards are people who may have to drive up to an hour but not more than that to get to a meeting and does not prevent people from going to their regular employment. I

Page 2

Senate Political Subdivisions Committee

Bill/Resolution Number SB 2345

Hearing Date February 4, 2005

think the \$45 a day is a reasonable rate. It would be nice to have some similarity across the board and I think this is a reasonable request.

Senator Gary Lee: I don't disagree with the forty five dollars. There have been county commissioners on the boards and I think the county commissioners have an opportunity to set the own salaries and they should deal with that.

Chairman Cook: We have a five member board and do not have any county commissioners on the board and don't want any. They are all volunteers and I do believe sometimes in the spirit of volunteerism.

Further discussion (Tape 2, Side A 3032 - 4297)

Roll call vote: 1 Yes 4 No 1 Absent and not voting.

Senator Cook we have before us SB 2345

Senator Hacker moved a motion to pay a commissioner other than the county commissioners.

Senator Gary Lee seconded the motion.

Roll call vote: 5 Yes 0 No 1 Absent and not voting.

Amendments approved.

Senator Hacker moved a Do Pass as amended

Senator Triplett seconded the motion.

Roll call vote: 5 Yes 0 No 1 Absent not voting.

Carrier: **Senator Hacker**

FISCAL NOTE STATEMENT

Senate Bill or Resolution No. 2345

This bill or resolution appears to affect revenues, expenditures, or fiscal liability of counties, cities, or school districts. However, no state agency has primary responsibility for compiling and maintaining the information necessary for the proper preparation of a fiscal note regarding this bill or resolution. Pursuant to Joint Rule 502, this statement meets the fiscal note requirement.

John Walstad
Code Revisor

Date: 2-4-05
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2345

Senate Political Subdivisions Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Senator Triplett Seconded By Senator Dever

| Senators | Yes | No | Senators | Yes | No |
|--------------------------------|-----|--------|----------|-----|----|
| Senator Dwight Cook, Chairman | | X | | | |
| | | | | | |
| Senator Nicholas P. Hacker, VC | | X | | | |
| | | | | | |
| Senator Dick Dever | | X | | | |
| | | | | | |
| Senator Gary A. Lee | | X | | | |
| | | | | | |
| Senator April Fairfield | | Absent | | | |
| | | | | | |
| Senator Constance Triplett | X | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

Total Yes 1 No 4

Absent 1

Floor Assignment _____

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

Failed

February 4, 2005

[Handwritten signature]
2-7-5

PROPOSED AMENDMENTS TO SENATE BILL NO. 2345

Page 1, line 20, after the second "commissioner" insert " , other than one who is a county commissioner."

Renumber accordingly

Date: 2-4-05
Roll Call Vote #: 2

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2345

Senate Political Subdivisions Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number ~~50776.0103~~ 50776.0101

Action Taken Amendment

Motion Made By Senator Hacker Seconded By Senator Gary Lee

| Senators | Yes | No | Senators | Yes | No |
|--------------------------------|-----|----|----------|-----|----|
| Senator Dwight Cook, Chairman | X | | | | |
| | | | | | |
| Senator Nicholas P. Hacker, VC | X | | | | |
| | | | | | |
| Senator Dick Dever | X | | | | |
| | | | | | |
| Senator Gary A. Lee | X | | | | |
| | | | | | |
| Senator April Fairfield | A | | | | |
| | | | | | |
| Senator Constance Triplett | X | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

Total Yes 5 No 0

Absent 1

Floor Assignment _____

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

Date: 2-4-05
Roll Call Vote #: 2

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB2345

Senate Political Subdivisions Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number ~~SB2345~~ 50776.0101

Action Taken Do Pass 25 Amended

Motion Made By Senator Hacker Seconded By Senator Triplett

| Senators | Yes | No | Senators | Yes | No |
|--------------------------------|-----|----|----------|-----|----|
| Senator Dwight Cook, Chairman | X | | | | |
| | | | | | |
| Senator Nicholas P. Hacker, VC | X | | | | |
| | | | | | |
| Senator Dick Dever | X | | | | |
| | | | | | |
| Senator Gary A. Lee | X | | | | |
| | | | | | |
| Senator April Fairfield | A | | | | |
| | | | | | |
| Senator Constance Triplett | X | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

Total Yes 5 No 0

Absent 1

Floor Assignment Senator Hacker

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

5

REPORT OF STANDING COMMITTEE

SB 2345: Political Subdivisions Committee (Sen. Cook, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2345 was placed on the Sixth order on the calendar.

Page 1, line 20, after the second "commissioner" insert ", other than one who is a county commissioner."

Renumber accordingly

2005 HOUSE TRANSPORTATION

SB 2345

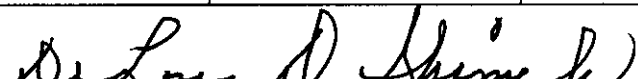
2005 HOUSE STANDING COMMITTEE MINUTES

BILL NO. SB 2345

House Transportation Committee

☐ Conference Committee

Hearing Date February 25, 2005

| Tape Number | Side A | Side B | Meter # |
|--|--------|--------|-----------|
| 1 | X | | 37.2-52.7 |
| 2 | X | | 0-13.1 |
| | | | |
| Committee Clerk Signature  | | | |

Minutes:

Acting Chairman Price opened the hearing on SB 2345 A Bill for an Act to amend and reenact section 23-11-05 of the North Dakota Century Code, relating to the compensation of housing authority commissioners.

Senator Every: (37.5) The material I handed out is just informational material. The bill came about because of a problem we had with a person and now the county is having a hard time finding someone to serve on this board because they do not pay enough. The handout I handed to you was the statute that is dated March 18, 1969 and that is when the \$10 was put into place. The current pay is for the housing authority board member. The bill just asked if they could raise this up to \$48. Handouts show what boards pay around the state, just so you get an idea. We believe this update will help fill these board positions.

Rep. Meyer What does a housing authority commissioner do?

Senator Every: The bill was amended in the senate to exclude county commissioners.

Rep. Vigesaa(40.8) Where is the money going to come from?

Senator Every: The counties pay themselves, I believe. All the bill does is allows them to increase the pay from \$10 a day up to \$35 a day.

Rep. Vigesaa(42.1) District 23. I am appearing before you today in support of this bill. I ask you to give it a do pass.

Acting Chairman Price: Reviewed the fiscal note with the committee.

Barry Cox:(43.3) Commission from Benson County. We had a situation in the county where the director was selling funds from the county. The situation is now straightened out and she resigned and there will be a trail and all that stuff. In the process the housing authority board, which oversees that director decided with this situation and all the extra work with the job that they need some way to get them more money. Found out we were already paying more than we could legally pay. That is why this bill was introduced.

Rep. Schmidt(44.6) I assume they are busier because of this situation.

Rep. Ruby(45.1) Would this \$600 cap be too little since they would increase the once a month meeting date to \$45 so if they meet once a month they would use \$540 just by doing that.

Barry Cox: Normally they would not meet more than once a month, but with this situation they have been meeting more.

Rep. Owens(46.1) We don't have a limit on the \$45 a day that they met. I think the

\$600 is per diem and has nothing to do with the \$45/day.

Rep. Ruby It is what you consider as per diem and what you consider expenses?

Wade Williams:(47.8) I will start by trying to answer Rep. Weiler question of where the money comes from? Housing Authorities are granted money by HUD to provide housing subsidies for low income people. Out of those funds you can keep an administrative fee of 8% to run the housing authority. That is how the board of housing commissioners is paid. My testimony is repetitive to what Commissioner Cox testimony. We are asking that you look at the amendment that the senate put on. I believe that the senate thought these funds came from copy tax dollars to pay these people. They do not, they come from that administrative fee. We chose the \$45 a day because that is what the social service, library board and weed board get. Generally these boards meet quarterly; some meet more often than that.

Rep. Weiler(50.0) So right now all these years they have been getting that 8%, but they have only been paying \$10 and you are going to still use the 8% and you are going to pay them \$45 so is there a pool of money then. Is there extra money in this pool now? Because all these years you have been collecting 8% and paying out \$10 for that portion to whatever that 8% is.

Wade Williams: There is a number of housing authorities that have surplus, but they are getting to be fewer and fewer because HUD is slowing reducing the money they are paying out. We have gone from having reserves of \$100,000-\$125,000 to down to \$8,000 because we are slowly receiving less and less money.

Acting Chairman Price: Why don't you list all the things that are paid out of that 8%.

Tape 2, Side A

The county authority, they travel to national meetings. Some board members in the past have gone to this, but now with tighter budgets they do not go anymore.

Rep. Ruby(.3) The \$600 maximum. Is that just for the per diem or your travel expenses.

Wade Williams: I interrupt it the same way you do. The \$45 would be per diem with a maximum for the calendar year of \$600. That includes the mileage.

Closed hearing (1.8)

Acting Chairman Price: Do you want clarification from council to which way it is, the per diem?

Rep. Owens You are going to have to since there are two entirely different interruptions.

Acting Chairman Price reopened the hearing on SB 2345. Requested Tim Dawson clarify things. They are paying up to \$45/day with a maximum of \$600/year for attending meetings. Benson County feels that is all inclusive. You need to give us a definition of per diem.

Tim Dawson:(2.8) Per diem is what you get paid for the day. Where travel expenses are something else. Your travel expenses are different than your per diem.

Acting Chairman Price: Can we make that clearer in this bill .If we made it two separate then if the county chose to do it, they can, but they don't have to.

Tim Dawson:It seems clear to me. Discussed amendment to make it clearer for every one.

Rep. Weiler If we are going to increase this to the \$45; not to exceed \$600 probably needs to be moved up. Maybe \$800 or \$900. If they meet once a month and they get \$45 for that day, that's \$540 for a year. If there is an emergency and they have to meet a couple times a month they will go over this \$600.

Rep. Weiler They said normally we meet once a month, but in an emergency we might have to meet more than that.

Rep. Ruby(5.5) They said they don't pay expenses for meals or travel. They just get that \$45 so the cap of \$600 is based on that. If they chose to pay the other stuff they sure could and that would compensate them over the \$600. \$600 is only for the per diem; and the per diem is only for the \$45/day. They could compensate them over \$600 if they line itemized those expenses. They said they are meeting daily now in Benson County because of the situation they are in, but not normally.

Rep. Owens(6.2) Discussed changing amount to \$45 from \$10.

Acting Chairman Price: Tell us how you think line 20 should read to make it perfectly clear.

Tim Dawson: Line 22 after office I would put a period. I would overstrike everything there after that for the rest of the sentence including line 23. The in addition a commissioner may be entitled to compensated for per diem in this section and may not exceed six hundred dollars in any one fiscal year. I think it is clear now.

Acting Chairman Price: Just for clarification, I hesitate to raise it beyond what they are asking because I know exactly what is going to happen when it hits the floor. They are already going to say we are doubling this.

Rep. Weiler I don't see how we can raise the \$10-\$45 and not raise the \$600.

Acting Chairman Price: I think our housing authority meets quarterly.

Rep. Ruby I can understand the percentage of increase. Anyone who is going to serve on the board knows before hand what they will get if they serve. They did not ask for an increase and if they think the workload is not going to be worth it the money they just won't be on the board.

Page 6
House Transportation Committee
Bill Number SB 2345
Hearing Date February 25, 2005

Rep. Owens Does it really matter. We can leave it at \$600 because right now they paid them \$45 so they are ignoring the law regardless so what is the issue.

Rep. Ruby moved the amendment be passed Seconded by Rep. Delmore

Acting Chairman Price clarified the amendment.

Voice vote carried. No opposition

Motion Made by Rep. Vigesaa Seconded By Rep. Meyer

Do Pass As Amended 12 Yes 0 No 3 Absent Carrier: Rep. Vigesaa

Closed 13.1

Date: 2-25-05
Roll Call Vote #:

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB2345

House Transportation Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass As Amended

Motion Made By Rep. Vigesaa Seconded By Rep. Meyer

| Representatives | Yes | No | Representatives | Yes | No |
|---------------------------|------------|----|-----------------|----------|----|
| Rep. Weisz - Chairman | <u>abs</u> | | Rep. Delmore | <u>✓</u> | |
| Rep. Hawken - Vice Chair. | <u>abs</u> | | Rep. Meyer | <u>✓</u> | |
| Rep. Bernstein | <u>✓</u> | | Rep. Schmidt | <u>✓</u> | |
| Rep. Dosch | <u>✓</u> | | Rep. Thorpe | <u>✓</u> | |
| Rep. Iverson | <u>✓</u> | | | | |
| Rep. Kelsch | <u>abs</u> | | | | |
| Rep. Owens | <u>✓</u> | | | | |
| Rep. Price | <u>✓</u> | | | | |
| Rep. Ruby | <u>✓</u> | | | | |
| Rep. Vigesaa | <u>✓</u> | | | | |
| Rep. Weiler | <u>✓</u> | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

Total (Yes) 12 No 0

Absent 3

Floor Assignment Rep. Vigesaa

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

REPORT OF STANDING COMMITTEE

SB 2345, as engrossed: Transportation Committee (Rep. Welsz, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Engrossed SB 2345 was placed on the Sixth order on the calendar.

Page 1, line 22, overstrike "and is entitled to the necessary expenses, including traveling"

Page 1, line 23, overstrike "expenses, incurred in the discharge of those duties"

Page 1, line 24, after the period insert "A commissioner, other than one who is a county commissioner, also may be compensated for the necessary expenses, including travel expenses, incurred in the discharge of the commissioner's duties."

Renumber accordingly

2005 TESTIMONY

SB 2345

~~DoI Sub~~
Soil Conservation Committee

4-22-04. Committee - Chairman - Quorum - Compensation.

The committee shall meet annually and select its chairman. The chairman shall serve for a term of one year from the date of selection. An individual may be selected as chairman for a total of three terms. Additional meetings may be held by the committee as considered necessary by the chairman, at a time and place to be fixed by the chairman. The chairman shall call special meetings upon written request of any four members. The members of the committee are entitled to receive forty-five dollars per day as compensation for their services on the committee, and are entitled to expenses, including traveling expenses, necessarily incurred in the discharge of their duties on the committee, in the same manner and at the same rate as prescribed by law for state employees and officials.

15.1-10-01. County committee - Appointment - Compensation.

1. The county superintendent of schools, with the approval of the board of county commissioners, shall appoint residents, equal in number to the board of county commissioners, to serve as a county committee for purposes of school district annexations, dissolutions, and reorganizations.

2. The term of office for county committee members is three years, staggered so that one term expires each year.

3. If a vacancy occurs, the county superintendent, with the approval of the board of county commissioners, shall appoint an individual to serve for the unexpired portion of the term. If a county committee member fails, refuses, or is unable to perform the required duties, the county superintendent, upon being petitioned by a majority of the school board presidents representing districts having territory wholly or partially within the county, shall declare the position of the member vacant and shall appoint a new member to the committee.

4. Each member is entitled to compensation at the rate of sixty-two dollars and fifty cents per day and to reimbursement for expenses from the biennial appropriation for the superintendent of public instruction, as provided by law for state officers, if they are attending committee meetings or performing duties directed by the committee.

23-18.2-03. Creation of nursing home authority by election.

When a petition signed by not less than twenty percent of the qualified electors of the county, as determined by the vote cast for the office of governor at the last preceding gubernatorial election, requesting an election upon the establishment of a nursing home authority is presented to the board of county commissioners, the board of county commissioners shall submit the question to the qualified electors of the county at the next countywide election. Upon approval by sixty percent of the votes cast, the board of county commissioners shall establish a county nursing home authority as described in sections 23-18.2-03 through 23-18.2-07 with all its powers, including the powers to issue bonds and certify a tax levy as described in sections 23-18.2-16 and 23-18.2-12, respectively.

Source: S.L. 1975, ch. 230, § 3; 1985, ch. 235, § 54.

23-18.2-04. Commissioners of authority - Appointment, compensation, qualifications, tenure.

Upon an affirmative vote of the county electors in the election required by section 23-18.2-03, the board of county commissioners shall appoint five persons as commissioners for the authority created in the county. The commissioners who are first appointed must be designated to serve for terms of one, two, three, four, and five years, respectively, from the date of their appointment, and thereafter, each commissioner must be appointed for a term of five years, except that all vacancies must be filled for the unexpired term. No commissioner of an authority may be an officer or an employee of the county for which the authority is created. A commissioner shall hold office until a successor has been appointed and has qualified. A commissioner is entitled to receive as compensation sixty-two dollars and fifty cents per day while actually engaged in official duties of the authority and must be reimbursed for mileage and expenses in the amounts provided by sections 44-08-04 and 54-06-09.

Source: S.L. 1975, ch. 230, § 4; 1997, ch. 432, § 14.

23-24-05. Board of commissioners - Composition - Appointment - Term of office - Vacancy - Compensation.

When an order of the council creating a vector control district has been filed in the office of the county auditor of a county in which the district or a part of the district is situated, a three-member board of commissioners of the vector control district must be appointed as provided by this section. Any resident freeholder in the district is eligible for appointment to the board of commissioners thereof. The term of commissioners first appointed must be determined by lot. One commissioner shall hold office for a term of two years, one shall serve for a term of three years, and one shall serve for a term of five years. The term of a commissioner commences on the date of appointment. If the office of a commissioner becomes vacant, the commissioner appointed to fill the vacancy shall serve the unexpired term of the member of the board of commissioners whom the new commissioner replaces. Any vacancy must be filled in the manner provided for original appointments. Appointments to the board of commissioners must be made by the board of county commissioners of the county containing the largest area of the vector control district. Any member of the board of commissioners may be removed upon a majority vote of the board of county commissioners that appoints members for the board of commissioners and the board of commissioners may be dissolved upon a majority vote of the board of county commissioners that appoints the members for the board. Each member shall receive the sum of thirty dollars per day while performing duties as a member of the board, or a lesser sum as the board may determine, an allowance for meals and lodging as provided in section 44-08-04, and mileage expense reimbursement at the rate provided in section 54-06-09.

Local boards of health

23-35-03. Boards of health.

1. The department shall advise boards of health.

2. A city's or county's governing body may establish a public health unit by creating and appointing a board of health, which in the case of a city, may be composed of the city's governing body. A board of health must have at least five members.

a. In the case of a board of health created by a joint board of county commissioners, each county in the health district must have at least one representative on the board; each county of over fifteen thousand population must have an additional representative for each fifteen thousand population or major fraction of that number; and in a health district of fewer than five counties, each county must have at least one representative on the district board of health, and the additional representatives selected to constitute the minimum five-member board must be equitably apportioned among the counties on a population basis.

b. In the case of a joint city-county health district composed of only one county and having at least one city over fifteen thousand population, each city having a population over fifteen thousand must have a representative on the district board of health for each fifteen thousand population or major fraction of that number, and the remaining population of the county, exclusive of the populations of cities with more than fifteen thousand each, must have a representative on the district board of health for each fifteen thousand population or major fraction of that number, or at least one member if the remaining population is less than fifteen thousand.

3. The initial members of any board of health appointed by a governing body must be appointed for terms as follows: at least one for one year, one for two years, one for three years, one for four years, and one for five years. If a board has more than five members, the members must be appointed for staggered terms. All subsequent appointments are for five-year terms. Each board member shall serve until a successor is appointed and qualified. If a vacancy occurs, the appointing government authority shall appoint a member for the remainder of the unexpired term. Each appointee shall qualify by filing the oath of office. A board of health may not be all male or all female. If the members of a governing body serve on a board of health or if an employee of a governing body serves on a board of health, this subsection does not apply to those governing body members and that employee.

4. A board of health shall meet at least quarterly. Special meetings may be held at any time at the call of the president.

5. Except if the governing body serves as the board of health, at the first meeting after appointment, and annually, the members of a board of health shall organize by electing a president, a vice president, and other officers the board considers necessary. If there is a treasurer

and the treasurer is not a public employee, the treasurer must be bonded in an amount fixed by the board. If the health officer is not appointed to the board, the health officer does not have a vote in matters of the board. The office of secretary and treasurer may be combined.

6. Any board member who is not a public employee may be compensated at a rate not exceeding sixty-two dollars and fifty cents per day, but for no more than twenty-five days per year, and may be reimbursed for expenses incurred in the manner and in an amount not exceeding the amount provided for a state officer.

50-01.1-04. Plan - Financing - Distribution of property - Governing board - Compensation of members.

1. A plan for the creation of a multicounty social service district must describe the method of operation of the district office, its administration, its location and the location of any ancillary offices, the disbursements from public funds, and the accountability for funds and manner of reporting receipts and disbursements. The plan must provide that all services provided by county officials to county agencies under this code be provided by those county officials residing within the same county in which the district office of the multicounty social service district is located. The plan must also provide for the distribution of property owned by each of the county agencies affected by the consolidation and for the method of resolution of any disagreement between the boards of county commissioners involved in the multicounty district or between the governing board and one or more boards of county commissioners. The plan, once approved, may be continued for a definite term or until rescinded or terminated in accordance with its terms. The plan also may provide that the regional director of a regional human service center serves as the director of the multicounty social service district.

2. The governing board of the multicounty social service district annually shall prepare a proposed budget for the district at the time and in the manner in which a county budget is adopted and shall submit the proposed budget to the board of county commissioners of each county in the district for approval. The amount budgeted and approved must be sufficient to defray the anticipated expenses of administration and the delivery of social and economic assistance services, exclusive of grants, and must be prorated among the counties based on an agreed-to cost distribution formula that takes into consideration such factors as caseload, population, taxable valuation, and geographical area of the respective counties comprising the district. Within ten days following approval of the proposed budget by the boards of county commissioners, the governing board of the district shall certify the budget to the respective county auditors of the counties in the district, and this amount must be included in the levies of the counties. Each board of county commissioners also shall budget and approve amounts sufficient to defray that county's anticipated costs of county general assistance and that county's share of grants as provided under this title. The amounts budgeted and approved by the several boards of county commissioners must be periodically deposited with the treasurer of the county in which the district office is located, as requested by the treasurer, and must be placed in a special multicounty social service district fund. The governing board, or its president and secretary when authorized by the governing board, shall audit all claims against the fund. The governing board at its regularly scheduled meeting shall approve or ratify all claims against the fund. The county treasurer shall pay approved or ratified claims from the fund. Unexpended funds remaining at the end of a fiscal year may be carried over to the next fiscal year.

3. The governing board of a multicounty social service district consists of not more than fifteen members, as determined by the plan. The plan must establish a method of determining the

number of members that will be appointed by each county within the multicounty social service district. The method may consider the ratio that each county's population bears to the total population of the multicounty social service district, the ratio of current social service caseload, or other equitable factors; provided, that each county included in the district must be represented by at least one board member. The board of county commissioners of each county within the multicounty social service district shall make the appointments to the governing board. Members must be appointed for a term of three years or until a successor has been appointed and qualifies. The members appointed to the initial governing board of a multicounty district, however, must be appointed to staggered terms determined according to the plan approved pursuant to section 50-01.1-03. Each member of the governing board shall qualify by taking the oath prescribed for civil officers and by filing the oath with the county auditor of the county of residence. Each sex must be fairly represented on the board, and each county must be represented on the board by at least one county commissioner of that county. Members shall elect from the governing board a president, a secretary, and other officers as the board determines necessary.

4. Each member of the governing board is entitled to receive forty-five dollars per day, not to exceed forty-five days in any calendar year, for each day necessarily spent in the performance of official duties. In addition, each member is entitled to be paid for mileage and actual expenses incurred in attending meetings and in the performance of official duties in the amounts provided by law for state officials.

50-01.2-02. Members of county social service board - Term of office - Oath - Compensation.

The members of the county social service board serve a term of three years or until their successors have duly qualified. Terms of office must be arranged so the term of office of one member expires in one year, the term of one-half the remaining members the next year, and the term of the remaining members the third year. Each member of the board qualifies by taking the oath provided for civil officers. The oath must be filed with the county auditor. The members of the county social service board are entitled to receive, in addition to any salaries they receive from any other source, from the state or county or any municipality, a sum not to exceed forty-five dollars per day for time actually spent in transacting the business of the board. The county shall reimburse members for expenses actually incurred in the performance of their official duties and for mileage at the legal rate for necessary travel.



GOVERNOR HOEVEN • THE FIRST LADY • LT. GOVERNOR



INITIATIVES • ADMINISTRATION • AWARDS • BOARDS & COMMISSIONS • PROCLAMATIONS • NEWS CENTER

BOARDS AND COMMISSIONS

> SEARCH

[Boards List](#)

Boards and Commissions Database

[Member Search](#)

[Board Search](#)

Click on the board and commission titles below to view the information online.

[Application Form for](#)

[Boards and Commissions](#)

To apply for a board or commission, please fill out, print, sign and return the [Application Form for Boards and Commissions](#) to the Governor's Office.

[Home](#)

For additional information, contact:

Nicole Weiler
Office of the Governor
600 East Boulevard Avenue
Dept. 101
Bismarck, ND 58505-0001
Phone: (701) 328-2219
Fax: (701) 328-2205

[This database is continuously under revision]

[ABSTRACTERS' BOARD OF EXAMINERS](#)

[ACCOUNTANCY, STATE BOARD OF PUBLIC](#)

[ADDICTION COUNSELING EXAMINERS, BOARD OF](#)

[AERONAUTICS COMMISSION](#)

[AGING, GOVERNOR'S COMMITTEE ON](#)

[AGRICULTURAL PRODUCTS UTILIZATION COMMISSION](#)

[AIR POLLUTION CONTROL ADVISORY COUNCIL](#)

*Most State
boards \$75
#6250 or
No less than 132*

AMERICANS WITH DISABILITIES ACT CONSORTIUM

ANIMAL HEALTH, STATE BOARD OF

ARCHITECTURE, STATE BOARD OF

ARTS, NORTH DAKOTA COUNCIL ON THE

ATHLETIC TRAINERS, BOARD OF

ATMOSPHERIC RESOURCE BOARD

AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY, BOARD OF
EXAMINERS ON

BANK OF NORTH DAKOTA, ADVISORY BOARD TO THE

BANKING BOARD, STATE

BARBER EXAMINERS, BOARD OF

BEEF COMMISSION, NORTH DAKOTA

CAPITOL GROUNDS PLANNING COMMISSION

CAREER AND TECHNICAL EDUCATION, STATE BOARD OF

CHILDREN'S SERVICES COORDINATING COMMITTEE (CSCC)

CHIROPRACTIC EXAMINERS, STATE BOARD OF

CLINICAL LABORATORY PRACTICE, BOARD OF

COSMETOLOGY, BOARD OF

COUNSELOR EXAMINERS, STATE BOARD OF

CREDIT REVIEW BOARD

CREDIT UNION BOARD

CROP PROTECTION HARMONIZATION AND REGISTRATION BOARD

DAIRY PROMOTION COMMISSION

DENTAL EXAMINERS, BOARD OF

DEVELOPMENT FUND, NORTH DAKOTA

DEVELOPMENTAL DISABILITIES, STATE COUNCIL ON

DEVILS LAKE OUTLET MANAGEMENT ADVISORY COMMITTEE

DIETETIC PRACTICE BOARD

DRUG AND ALCOHOL ABUSE, NORTH DAKOTA COMMISSION ON

DUI AND TRAFFIC SAFETY, GOVERNOR'S COMMITTEE ON

ECONOMIC DEVELOPMENT FOUNDATION

EDUCATION COMMISSION OF THE STATES

EDUCATION FACT FINDING COMMISSION

EDUCATION STANDARDS AND PRACTICES BOARD

EDUCATIONAL TECHNOLOGY COUNCIL

ELECTRICAL BOARD, STATE

EMPLOYMENT OF PEOPLE WITH DISABILITIES, GOVERNOR'S
COMMITTEE ON

ENGINEERS AND LAND SURVEYORS, STATE BOARD OF
REGISTRATION FOR PROFESSIONAL

FUNERAL SERVICE, STATE BOARD OF

GAME AND FISH ADVISORY BOARD

GAMING COMMISSION, STATE

GOVERNOR'S HEALTH INSURANCE ADVISORY COMMITTEE SPG

GOVERNOR'S MILITARY TASK FORCE

HEALTH COUNCIL, STATE

HEARING INSTRUMENT SPECIALISTS, BOARD OF

HIGHER EDUCATION, BOARD OF

HISTORICAL BOARD, STATE

HISTORICAL RECORDS ADVISORY BOARD, STATE

HUMANITIES COUNCIL, NORTH DAKOTA

INDEPENDENT LIVING COUNCIL

INDIAN AFFAIRS COMMISSION

INDIAN SCHOLARSHIPS, STATE BOARD FOR

INTERAGENCY COORDINATING COUNCIL

INTERNATIONAL PEACE GARDEN, INC., BOARD OF DIRECTORS

INTERSTATE OIL AND GAS COMPACT COMMISSION (IOGCC)

INVESTMENT BOARD

JUDICIAL CONDUCT COMMISSION

JUDICIAL NOMINATING COMMITTEE

JUVENILE JUSTICE ADVISORY GROUP

LEGAL SERVICES ADVISORY COUNCIL

LEGISLATIVE COMPENSATION COMMISSION

LEWIS AND CLARK BICENTENNIAL ADVISORY COMMITTEE

LIBRARY COORDINATING COUNCIL

LIGNITE RESEARCH COUNCIL

MASSAGE, STATE BOARD OF

MEDICAL EXAMINERS, STATE BOARD OF

MENTAL HEALTH PLANNING COUNCIL

MIDWEST INTERSTATE PASSENGER RAIL COMPACT COMMISSION

MIDWESTERN HIGHER EDUCATION COMMISSION

MILK MARKETING BOARD

NATIONAL AND COMMUNITY SERVICE, STATE COMMISSION ON

NATURAL RESOURCES TRUST BOARD OF DIRECTORS

NORTH DAKOTA INTERAGENCY COUNCIL ON HOMELESSNESS

NORTH DAKOTA QUARTER DESIGN SELECTION PROCESS
COMMISSION

NURSING HOME ADMINISTRATORS, STATE BOARD OF EXAMINERS
FOR

NURSING, STATE BOARD OF

OCCUPATIONAL THERAPY PRACTICE, BOARD OF

OIL AND GAS RESEARCH COUNCIL

OILSEED COUNCIL

OLMSTEAD COMMISSION

OPTOMETRY, STATE BOARD OF

PARDON ADVISORY BOARD

PAROLE BOARD, STATE

PERSONNEL BOARD, STATE

PETROLEUM TANK RELEASE COMPENSATION FUND ADVISORY
BOARD

PHARMACY, STATE BOARD OF

PHYSICAL THERAPISTS, STATE EXAMINING COMMITTEE FOR

PLUMBING, STATE BOARD OF

PODIATRIC MEDICINE, BOARD OF

PRISON INDUSTRIES ADVISORY COMMITTEE

PRIVATE INVESTIGATIVE AND SECURITY BOARD

PROTECTION AND ADVOCACY, COMMITTEE ON

PSYCHOLOGIST EXAMINERS, STATE BOARD OF

PUBLIC EMPLOYEES RETIREMENT SYSTEM (PERS)

PUBLIC SCHOOL EDUCATION, STATE BOARD

RACING COMMISSION

REAL ESTATE APPRAISER QUALIFICATIONS AND ETHICS BOARD

REAL ESTATE COMMISSION

REFLEXOLOGY, STATE BOARD OF

REHABILITATION COUNCIL, STATE

RESPIRATORY CARE EXAMINING BOARD

RURAL DEVELOPMENT COUNCIL

SMALL BUSINESS AIR POLLUTION COMPLIANCE ADVISORY BOARD

SOCIAL WORK EXAMINERS, BOARD OF

SOIL CLASSIFIERS, STATE BOARD OF REGISTRATION FOR
PROFESSIONAL

SOIL CONSERVATION COMMITTEE, STATE

STATE EMPLOYEE SUGGESTION INCENTIVE COMMITTEE

STATE HISTORICAL SOCIETY OF NORTH DAKOTA COMMISSION

STATE INFORMATION TECHNOLOGY ADVISORY COUNCIL

STOP VIOLENCE AGAINST WOMEN ADVISORY COMMITTEE

[SUPERVISION OF ADULT OFFENDERS, ADVISORY COUNCIL TO THE](#)
[TEACHERS' FUND FOR RETIREMENT \(TFFR\)](#)
[UNIFORM STATE LAWS, COMMISSION ON](#)
[VALUE ADDED AGRICULTURE PROMOTION BOARD](#)
[VETERANS AFFAIRS, ADMINISTRATIVE COMMITTEE ON](#)
[VETERINARY MEDICAL EXAMINERS, STATE BOARD OF](#)
[VIOLENT AND SEXUAL OFFENDER, GOVERNOR'S TASK FORCE](#)
[WATER COMMISSION, STATE](#)
[WATER POLLUTION CONTROL BOARD, STATE](#)
[WATER WELL CONTRACTORS, STATE BOARD OF](#)
[WHEAT COMMISSION](#)
[WOMEN, COMMISSION ON THE STATUS OF](#)
[WORKFORCE DEVELOPMENT COUNCIL, NORTH DAKOTA](#)
[WORKFORCE SAFETY AND INSURANCE BOARD](#)
[YELLOWSTONE-MISSOURI-FORT UNION COMMISSION](#)
[YOUTH DEVELOPMENT COUNCIL](#)



[CONTACT US](#) • [HELPFUL LINKS](#) • [HOME](#)

[DISCLAIMER](#) • [PRIVACY POLICY](#)

[W3C](#) [W3C](#) [W3C](#)

[W3C](#) [W3C](#) [W3C](#)

[W3C](#) [W3C](#) [W3C](#)

[[Governor John Hoeven](#)] [[First Lady Mikey L. Hoeven](#)] [[Lt. Governor Jack Dalrymple](#)]
[[Initiatives](#)] [[Administration](#)] [[Awards and Recognition](#)] [[Boards and Commissions](#)] [[Proclamations](#)] [[News Center](#)]

[[Contact Us](#)] [[Helpful Links](#)] [[Disclaimer](#)] [[Privacy Policy](#)]

CHAPTER 256

H.B. No. 198
(Belter, Weber)

QUALIFICATIONS AND COMPENSATION OF
COMMISSIONERS OF HOUSING AUTHORITIES

AN ACT

To amend and reenact section 23-11-05 of the North Dakota Century Code, providing for the compensation of commissioners of housing authorities.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

Section 1. Amendment.) Section 23-11-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

23-11-05. Commissioners of Authority—Appointment, Qualifications, Tenure, Compensation.) When the governing body of a city adopts a resolution, declaring there is need for a housing authority, it promptly shall notify the mayor of such adoption. Upon receiving such notice, the mayor shall appoint five persons as commissioners of the authority created for said city. When the governing body of a county adopts a resolution declaring there is need for a housing authority, said body shall appoint five persons as commissioners of the authority created for said county. The commissioners who are first appointed shall be designated to serve for terms of one, two, three, four, and five years, respectively, from the date of their appointment, and thereafter, each commissioner shall be appointed for a term of office of five years except that all vacancies shall be filled for the unexpired term. No commissioner of an authority may be an officer or employee of the city or county for which the authority is created. A commissioner shall hold office until his successor has been appointed and has qualified. A certificate of the appointment or reappointment of any commissioner shall be filed with the auditor of the city or county, as the case may be, and such certificate shall be conclusive evidence of the due and proper appointment of such commissioner. A commissioner may receive ten dollars a day for each day necessarily devoted to the work of his office and he shall be entitled to the

HEALTH AND SAFETY
H.B. No. 198
Belter, Weber
1971

necessary expenses, including traveling expenses, incurred in the discharge of his duties. The per diem compensation provided for in this section shall not exceed three hundred dollars in any one fiscal year.

Approved March 18, 1969.

CHAPTER 257

H. B. No. 387

(Aas, Haugland, Emerson, Sanstead, Anderson, J. Peterson)

ACQUISITION AND DISPOSAL OF REAL PROPERTY BY DISTRICT HEALTH UNITS

AN ACT

To amend and reenact section 23-14-14 of the North Dakota Century Code, relating to district health units acquiring and disposing of real and personal property and providing for the borrowing of funds and the disposition of property upon dissolution, and declaring an emergency.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

Section 1. Amendment.) Section 23-14-14 of the 1967 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

23-14-14. Acquiring and Disposing of Property.) The district board of health may acquire by lease, purchase, construction or gift for district health office use and control both real and personal property for all purposes authorized by law or necessary to the exercise of the powers granted herein. The district board of health may finance the purchase, construction or equipping of a building on either owned or leased property for the use and purposes for which the health district is formed, and to carry out the functions of the health unit as provided by law, in either of the following ways:

1. The district board of health may issue and sell bonds in an aggregate amount not to exceed two times the then authorized tax revenues of the district for the year in which the bonds are to be issued and sold, or

ENSATION OF AUTHORITIES

North Dakota Century Code,
oners of housing authorities.

embly of the State of

23-11-05 of the North
and reenacted to read

—Appointment, Quali-
he governing body of a
need for a housing au-
of such adoption. Up-
appoint five persons
l for said city. When
resolution declaring
d body shall appoint
uthority created for
first appointed shall
e, four, and
appointment,
appointed for a term
ancies shall be filled
of an authority may
ounty for which the
all hold office until
qualified. A certifi-
f any commissioner
county, as the case
sive evidence of the
missioner. A com-
ach day necessarily
ll be entitled to the

#1

**TESTIMONY TO THE
HOUSE TRANSPORTATION COMMITTEE**

Prepared February 24, 2005 by
North Dakota Association of Counties
Wade Williams – NDACo Government Relations

CONCERNING SENATE BILL 2345

Chairman Weisz and members of the House Transportation Committee. Thank you for the opportunity to testify in support of SB2345.

While the board of county commissioners may chose to pay appointees up to \$45/day for their service on most appointed boards, they are currently limited to \$10/day for housing authority board members. Unlike for members of social service boards, library boards, weed boards, and others, they are limited for this particular board.

The responsibilities of this appointed board can be quite significant and time consuming for some counties, and it is getting more difficult to find people to serve. Therefore the counties feel that the option to provide a reasonable per diem is appropriate. This bill simply takes the existing permissive language and allows a higher per diem.

The Senate Committee amended a restriction into the bill, prohibiting a county commissioner serving on the board from getting the per diem. Since this is an added duty that one county commissioner may be asked to assume, we feel that allowing them to receive this per diem is justified. The Senate Committee suggested that because a county commission sets its own salary, this per diem would not be necessary.

As the entire board of county commissioners is most often paid the same, it would be unrealistic to raise everyone's salary to compensate one that has this extra duty. It is permitted to pay a county commissioner the per diem associated with other

appointed board service, therefore we would ask the Committee's consideration of the attached amendment.

Thank you Mr. Chairman and committee members, please given SB2345 a Do Pass recommendation.

Proposed Amendments to Senate Bill No. 2345

Page 1, line 20, remove ", other than one who is a county"

Page 1, line 21, remove "commissioner,"

Renumber accordingly