

**Fifty-ninth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 4, 2005**

SENATE BILL NO. 2345  
(Senators Every, Triplett)  
(Representatives Devlin, Nelson, Vigesaa)

AN ACT to amend and reenact section 23-11-05 of the North Dakota Century Code, relating to the compensation of housing authority commissioners.

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

**SECTION 1. AMENDMENT.** Section 23-11-05 of the North Dakota Century Code is amended and reenacted 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~~ the governing body promptly shall notify the mayor of ~~such~~ the adoption. Upon receiving ~~such~~ the 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~~ the governing body shall appoint five persons as commissioners of the authority ~~created for said 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~~, after that time each commissioner must be appointed for a term of office of five years except that all vacancies must be filled for the unexpired term. A commissioner shall hold office until a successor has been appointed and has qualified. A certificate of the appointment or reappointment of any commissioner must be filed with the auditor of the city or county, as the case may be, and ~~such~~ the certificate is conclusive evidence of the due and proper appointment of ~~such~~ the commissioner. A commissioner, other than one who is a county commissioner, may receive ~~ten dollars~~ up to forty-five dollars a day for each day necessarily devoted to the work of the office ~~and is entitled to the necessary expenses, including traveling expenses, incurred in the discharge of those duties~~. The per diem compensation provided for in this section may not exceed ~~three~~ six hundred dollars in any one fiscal year. 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.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-ninth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2345.

Senate Vote:    Yeas    45        Nays    0        Absent    2

House Vote:    Yeas    85        Nays    4        Absent    5

\_\_\_\_\_  
Secretary of the Senate

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2005.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2005.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2005,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State