

COUNTY COMMISSIONERS.

CHAPTER 52.

[Sub. for S. B. 115.]

COUNTY COMMISSIONERS.

AN ACT to Amend Sections 1842, 1893, and 1896, of the Revised Codes of 1899 Relating to Commissioner Districts, and the Powers and Election of County Commissioners.

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

§ 1. AMENDMENT.] That section 1842 of the Revised Codes of 1899 be amended to read as follows:

§ 1842. POWER OF COUNTY COMMISSIONER.] The county commissioners elected or appointed under the provisions of this article shall have power to divide the county into three commissioner districts, which shall be numbered from one to three, and such districts shall not be changed oftener than once in four years and then only at a regular session of the board. Three commissioners shall be elected, one from each of such districts, at the next general election after such organization, one of whom shall be chosen for the term of two years, two for four years, and thereafter as provided by law. The inspectors of election shall receive for their services the sum of four dollars per day for the time actually and necessarily employed and ten cents per mile for each mile actually and necessarily traveled, the account thereof to be approved by the governor and audited and paid out of the state treasury.

§ 2. AMENDMENT.] That section 1893 of the Revised Codes of 1899 be amended to read as follows:

§ 1893. DISTRICTS. HOW FORMED. COMMISSIONERS, HOW DESIGNATED.] When the returns of such election show a majority of all the legal votes cast to be for an increase from three to five, it shall be the duty of the board of county commissioners, within ten days after the votes have been canvassed, to divide the county into five districts. The districts shall be numbered from one to five, those last created being designated fourth and fifth respectively. At the ensuing general election commissioners for such additional districts shall be elected, the commissioner for the fourth district for a term of two years, and the commissioner for the fifth district for a term of four years. The tenure of office of the existing board of county commissioners shall not be affected. The district which each commissioner shall represent shall be designated by such board. When the special election results in a majority for a decrease from five to three, the existing county board shall, at the end of the first two expiring terms of the same year de-

clare such districts vacant, and at their first regular meeting thereafter proceed to divide the county into three commissioner districts, and in such division designate the district which each of the three remaining commissioners shall represent.

§ 3. AMENDMENT.] That section 1896 of the Revised Codes of 1899 be amended to read as follows:

§ 1896. TERM OF OFFICE OF COMMISSIONERS.] The commissioners shall hold their office for the term of four years, except as herein provided by law for the organization of counties, and in counties now organized the order of their election and succession shall be as herein provided, and commissioner districts in such counties shall continue as now constituted until changed as provided by law.

§ 4. VACANCIES, HOW FILLED.] The vacancies on the board of county commissioners which will occur in the years 1901 and 1903 shall be filled as provided in section 366 of the Revised Codes of 1899.

Approved March 12, 1901.

CHAPTER 53.

[S. B. 88.]

COUNTY COMMISSIONERS' SALARY.

AN ACT to Amend Section 2095 of the Revised Codes of 1899, Relating to Compensation of County Commissioners and Fixing the Hours of Meeting.

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

§ 1. AMENDMENT.] That section 2095 of the Revised Codes of 1899 be amended and re-enacted to read as follows:

§ 2095. COMPENSATION ALLOWED. OFFICE HOURS.] County commissioners shall each be allowed for the time they are necessarily employed in the duties of their office, the sum of four dollars per day, and five cents per mile for the distance actually traveled in attending the meetings of the board and when engaged in other official duties, to be paid out of the general fund of the county, and their office hours shall be not less than from nine to twelve a. m., and two to six p. m., during regular or special sessions held by such board.

Approved March 14, 1901.

CHAPTER 54.

[H. B. 144.]

REDISTRICTING COUNTY COMMISSIONERS' DISTRICTS.

AN ACT to Amend Sections 1894 and 1895 of the Revised Codes of the State of North Dakota of 1899, Relating to the Procedure for Redistricting County Commissioners' Districts.

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

§ 1. AMENDMENT.] That sections 1894 and 1895 of the Revised Codes of 1899 be amended so as to read as follows:

§ 1894. COMMISSIONER DISTRICTS REDISTRICTED. WHEN.] The county judge, auditor and clerk of the district court of each county shall constitute a redistricting board with power to redistrict the commissioner districts in any county whenever twenty-five per cent of the legal voters of the county, as shall be determined by the votes cast at the last preceding general election for congressman, shall petition said board to change the boundaries of the commissioner districts and file said petition with the county auditor. Within twenty days after the filing of said petition it shall be the duty of the county auditor to call a meeting of the redistricting board to consider such petition, and if it shall appear that the commissioner districts of such county are not reasonably equal in population or extent of territory they shall proceed at once to redistrict such county into commissioner districts.

§ 1895. DUTY OF REDISTRICTING BOARD.] In redistricting any county it shall be the duty of the redistricting board to make the districts as regular and compact in form as practicable, and as equal in population as possible, as shall be determined by the vote cast at the last preceding general election, but no new district shall be so formed that any two of the then acting commissioners shall reside in the same district, and no county shall be redistricted oftener than once in five years.

Approved March 8, 1901.