

COUNTIES

CHAPTER 123

H. B. No. 603
(Johnston, Wheeler)

SALARIES OF ELECTED OFFICIALS

AN ACT

To amend and reenact subsection 2 of section 11-10-10 of the North Dakota Century Code, relating to the salaries of elected county officials and providing an effective date.

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

§ 1. Amendment.) Subsection 2 of section 11-10-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

2. The county auditor, county treasurer, sheriff, county superintendent of schools, register of deeds, county judge, state's attorney, and clerk of the district court each shall receive the following annual salary, payable monthly, for official services rendered:

- a. Four thousand three hundred dollars in counties having a population not exceeding eight thousand;
- b. Four thousand four hundred dollars in counties having a population exceeding eight thousand population plus additional compensation of seventy dollars per year for each one thousand additional population or major fraction thereof, but not to exceed the total sum of five thousand four hundred dollars, and provided, however, that in counties where the population consists of more than 25% Indians who have not severed tribal relations, the county commissioners may adjust the salaries provided for herein within the limitations contained in this subdivision.
- c. In counties having a population in excess of thirty thousand the sum of five thousand eight hundred dollars.

In counties having a county court of increased jurisdiction the salaries of the judges of county courts of increased jurisdiction shall be as set out in section 27-08-08. The county commissioners may in their discretion compensate the county superintendent of schools by an amount not to exceed two hundred

fifty dollars per year, which shall be in addition to any other compensation received by the county superintendent, for duties performed by the county superintendent of schools in school district reorganization within the county. The county superintendent of schools shall receive for any trips necessarily made within his county in the performance of school district reorganization duties the same mileage as he receives under the provisions of section 11-10-15.

§ 2. Effective Date.) This subsection shall become effective January 1, 1962.

Approved March 15, 1961.

CHAPTER 124

S. B. No. 213
(George, Hernet)

BONDS AND CHECKS FOR BIDDERS DEPOSITS

AN ACT

To amend and reenact sections 11-11-28, 24-02-20, 39-03-08.3, 40-22-20 and 61-19-08, of the North Dakota Century Code, relating to bonds and cashiers checks for bidders deposits.

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

§ 1. Amendment.) Section 11-11-28 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

11-11-28. Bid Must Be Accompanied by a Bond or Certified or Cashier's Check.) A bid shall be accompanied by a certified or cashier's check made payable to the chairman of the board of county commissioners in a sum equal to five percent of the amount of the bid or by a bidder's bond in a sum equal to twenty percent of the full amount of the bid, executed by the bidder as principal and by a surety company authorized to do business in this state as a guaranty that the bidder will enter into the contract if it is awarded to him and that he will furnish the necessary bond.

§ 2. Amendment.) Section 24-02-20 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

24-02-20. Bids, Where Opened — Requirements — Bonds or Checks of Three Lowest Bidders Retained.) All bids shall be opened at the time and place specified in the advertised request

for bids. Each bid shall be accompanied by a certified or cashier's check of the bidder on a solvent North Dakota bank, in an amount equal to five percent of his bid, to be forfeited to the state highway fund should the bidder fail to effect a contract within ten days after a notice of an award or by a bidder's bond in a sum equal to twenty percent of the full amount of the bid, executed by the bidder as principal and by a surety company authorized to do business in this state, conditioned that if the principal's bid be accepted and the contract awarded to him, he, within ten days after notice of award, will execute and effect a contract in accordance with the terms of his bid and a contractor's bond as required by law and the regulations and determinations of the department.

All bonds or checks, except those of the responsible bidders submitting the three lowest and best bids, shall be returned to the bidders promptly upon opening such bids. The bond or check of the responsible bidder submitting the lowest and best bid may be cashed or retained until the contract has been awarded and executed properly. The bonds or checks of the responsible bidders submitting the second and third lowest and best bids may be returned to the bidders when the department has determined to whom the contract is to be awarded.

§ 3. Amendment.) Section 39-03-08.3 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

39-03-08.3. Bids—Requirement.) All bids shall be opened at the time and place specified. Each bid shall be accompanied by a certified or cashier's check of the bidder in an amount equal to ten percent of his bid or by a bidder's bond in a sum equal to ten percent of the full amount of the bid, executed by the bidder as principal and by a surety company authorized to do business in this state. Such check or bond shall be forfeited to the state highway patrol fund should the bidder fail to deliver according to the bid within thirty days after a notice of an award.

§ 4. Amendment.) Section 40-22-20 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

40-22-20. Bid To Be Accompanied by a Bond or Certified or Cashier's Check—Check Retained Upon Failure of Bidder to Contract.) Each bid for any work to be done under the provisions of this chapter shall be accompanied by a certified or cashier's check in the sum of five hundred dollars endorsed or payable to the executive officer of the municipality or by a bidder's bond in the amount of five hundred dollars, executed by the bidder as principal and by a surety company authorized

to do business in this state as a guaranty that the bidder will enter into a contract for performance of such work in case a contract is awarded to him. If any bidder to whom a contract is awarded fails or refuses to enter into such contract when requested to do so, the check or bond accompanying his bid shall be retained by the municipality as liquidated damages for such failure. The check or bond shall be delivered to the treasurer of the municipality and shall be credited by him to the fund from which the consideration for such work is payable.

§ 5. **Amendment.)** Section 61-19-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

61-19-08. Bids To Be Accompanied by Check—Forfeiture.)

Each bid must be accompanied by a certified or cashier's check in the sum of five percent of the total amount bid, endorsed or made payable to the chairman of the board of county commissioners or by a bidder's bond in a sum equal to five percent of the total amount of the bid, executed by the bidder as principal and by a surety company authorized to do business in this state as a guaranty that the bidder, if successful, will enter into a contract and will furnish a surety bond for the faithful performance of the work, if such contract is awarded to him. If the bidder to whom the work is awarded fails to execute such contract and bond as provided, the check or bond accompanying his bid shall be and remain the property of the county and shall be turned over to the county treasurer, who shall credit the proceeds of such check or bond to the fund out of which the cost of the work is to be paid.

Approved March 16, 1961.

CHAPTER 125

H. B. No. 614
(Saugstad, Balerud)

REWARDS FOR APPREHENSION AND CONVICTION
OF PERSONS COMMITTING CRIMES

AN ACT

To amend and reenact section 11-11-49 of the North Dakota Century Code, relating to rewards for apprehension and conviction of persons who committed certain crimes.

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

§ 1. Amendment.) Section 11-11-49 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

11-11-49. Board May Offer Reward.) The board of county commissioners may offer a reward of a sum not exceeding one hundred dollars nor less than ten dollars for the apprehension and conviction of each person violating any of the provisions of chapter 12-40 and 12-41, or who takes, by fraud or stealth, any wheat, oats, rye, barley, flax or other grain, or any other property of another, with intent to deprive the owner thereof.

Approved March 2, 1961.

CHAPTER 126

H. B. No. 658
(Wilkie, Solberg)

DESTRUCTION OF DOCUMENTS

AN ACT

To amend and reenact section 11-18-14 of the North Dakota Century Code, relating to the authority of the register of deeds to destroy certain documents.

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

§ 1. Amendment.) Section 11-18-14 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

11-18-14. Register of Deeds to Remove and Destroy Certain Documents—Records To Be Made.) The register of deeds in each county in this state shall remove from the files in his office, and destroy, all seed liens, labor liens, stallion liens, chattel mortgages, threshing liens, crop production liens, combining liens, mechanic's liens, repairman's liens, and sales contracts together with any releases for the same upon which a cause of action has accrued and which cause of action is more than ten years old. At the time of destroying said files the register of deeds shall note on the margin of the index opposite the record of each instrument so removed and destroyed the date when the same was destroyed.

Approved March 14, 1961.