

Sixty-sixth  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2035**

Introduced by

Legislative Management

(Judiciary Committee)

1 A BILL for an Act to amend and reenact subdivision b of subsection 1 of section 4.1-02-04,  
2 subdivision b of subsection 1 of section 4.1-04-04, subdivision b of subsection 1 of section  
3 4.1-07-04, subdivision b of subsection 1 of section 4.1-09-05, subdivision b of subsection 1 of  
4 section 4.1-09-06, section 4.1-11-04, subsection 2 of section 4.1-13-05, and section 11-11-11 of  
5 the North Dakota Century Code, relating to notice and publication requirements.

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

7 **SECTION 1. AMENDMENT.** Subdivision b of subsection 1 of section 4.1-02-04 of the North  
8 Dakota Century Code is amended and reenacted as follows:

9 b. The ~~county extension agent~~council shall publish notice of the meeting in the  
10 official newspaper of the county for two consecutive weeks. The last notice must  
11 be published no fewer than five nor more than ten days before the meeting.

12 **SECTION 2. AMENDMENT.** Subdivision b of subsection 1 of section 4.1-04-04 of the North  
13 Dakota Century Code is amended and reenacted as follows:

14 b. The ~~county extension agent~~council shall publish notice of the meeting in the  
15 official newspaper of the county for two consecutive weeks. The last notice must  
16 be published no fewer than five nor more than ten days before the meeting.

17 **SECTION 3. AMENDMENT.** Subdivision b of subsection 1 of section 4.1-07-04 of the North  
18 Dakota Century Code is amended and reenacted as follows:

19 b. The ~~county extension agent~~council shall publish notice of the meeting in the  
20 official newspaper of the county for two consecutive weeks. The last notice must  
21 be published no fewer than five nor more than ten days before the meeting.

22 **SECTION 4. AMENDMENT.** Subdivision b of subsection 1 of section 4.1-09-05 of the North  
23 Dakota Century Code is amended and reenacted as follows:

- 1           b.    The ~~county extension agent~~council shall publish notice of the meeting in the  
2                   official newspaper of the county for two consecutive weeks. The last notice must  
3                   be published no fewer than five nor more than ten days before the meeting.

4           **SECTION 5. AMENDMENT.** Subdivision b of subsection 1 of section 4.1-09-06 of the North  
5   Dakota Century Code is amended and reenacted as follows:

- 6           b.    The ~~county extension agent~~council shall publish notice of the meeting in the  
7                   official newspaper of the county for two consecutive weeks. The last notice must  
8                   be published no fewer than five nor more than ten days before the meeting.

9           **SECTION 6. AMENDMENT.** Section 4.1-11-04 of the North Dakota Century Code is  
10   amended and reenacted as follows:

11           **4.1-11-04. Election of county representative.**

- 12           1.    Before January first, the council shall identify each district represented by a council  
13                   member whose term is about to expire and notify the extension agent for each county  
14                   in that member's district that an election to select a county representative must occur  
15                   before March first.
- 16           2.    Each year during the month of January, ~~each county extension agent required to~~  
17                   ~~conduct an election in accordance with this section~~the council shall publish notice of  
18                   the election in the official newspaper of the county for one week. The notice must  
19                   contain a description of the election process, a request for the nomination of potential  
20                   candidates for the position, and a deadline for the receipt of all nominations.
- 21           3.    In order for a nomination to be valid, it must be submitted to the county extension  
22                   agent in writing and signed by a nominating producer who resides in the county. The  
23                   county extension agent shall determine if a nomination is valid. A decision by the  
24                   county extension agent under this subsection is final.
- 25           4.    The county extension agent shall:
- 26                   a.    Compile all valid nominations;
- 27                   b.    Contact each nominee to determine if the nominee consents to being on the  
28                         ballot; and
- 29                   c.    Forward the name of each nominee to the council.
- 30           5.    The council shall prepare the election ballots and mail to each producer of record in  
31                   the county:

- 1           a.    A ballot;
- 2           b.    A stamped self-addressed return envelope;
- 3           c.    Instructions for completing and returning the ballot; and
- 4           d.    A statement indicating the last date by which the ballots must be postmarked or
- 5                 filed with the county extension agent.
- 6       6.    The ~~county extension agent~~council shall publish notice of the pending election in the
- 7             official newspaper of the county for one week. The notice must announce the election,
- 8             provide information regarding the manner in which a producer may obtain a ballot if
- 9             one was not received by mail, and indicate the deadline by which all ballots must be
- 10            returned.
- 11       7.    Any producer who resides in the county may vote in the election.
- 12       8.    Immediately after the passing of the deadline by which the ballots must be returned,
- 13             the county extension agent shall:
- 14            a.    Tabulate the ballots;
- 15            b.    Notify the director of the North Dakota state university extension service and the
- 16                 council that the election has taken place and provide to the director and the
- 17                 council the name and address of the newly elected county representative; and
- 18            c.    Notify the newly elected county representative.
- 19       9.    Subsections 1 through 8 do not apply if the county extension agent, in consultation
- 20             with the executive director of the county farm service agency office, determines and
- 21             notifies the council that no soybean producers willing to serve as county
- 22             representatives reside within the county.

23       **SECTION 7. AMENDMENT.** Subsection 2 of section 4.1-13-05 of the North Dakota Century  
24   Code is amended and reenacted as follows:

- 25       2.    The ~~county extension agent~~commission shall publish notice of the meeting in the
- 26             official newspaper of the county for two consecutive weeks. The last notice must be
- 27             published no fewer than five nor more than ten days before the meeting.

28       **SECTION 8. AMENDMENT.** Section 11-11-11 of the North Dakota Century Code is  
29   amended and reenacted as follows:

30       **11-11-11. General duties of board of county commissioners.**

31       The board of county commissioners:

- 1        1.    Shall superintend the fiscal affairs of the county.
- 2        2.    Shall supervise the conduct of the respective county officers.
- 3        3.    May cause to be audited and verified the accounts of all officers having the custody,
- 4                management, collection, or disbursement of any moneys belonging to the county or
- 5                received in their official capacity.
- 6        4.    Before ~~March~~November fifteenth of each year, shall have the county auditor prepare
- 7                general purpose financial statements in accordance with generally accepted
- 8                accounting principles. Public notice that financial statements have been prepared and
- 9                are available for inspection must be published in the official newspaper.