

**HOUSE BILL NO. 1250**

Introduced by

Representatives Berg, D. Johnson, Nicholas

Senators Erbele, Heitkamp, Wanzek

1 A BILL for an Act to amend and reenact sections 4-10.1-06, 4-10.2-05, 4-10.3-05, 4-10.4-05,  
2 4-10.5-04, 4-10.6-04, and 4-10.7-05, subsection 4 of section 4-18.1-04, subsection 3 of section  
3 4-27-05, and sections 4-28-05 and 4-34-07 of the North Dakota Century Code, relating to  
4 compensation for agricultural commodity council members.

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

6 **SECTION 1. AMENDMENT.** Section 4-10.1-06 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8 **4-10.1-06. Meetings - Quorum - Compensation and expenses of council.** A  
9 majority of the voting members of the council constitutes a quorum for the transaction of all  
10 business in carrying out the duties of the council. All meetings of the council must be called by  
11 the chairman except special meetings which must be called by the chairman on the petition of  
12 three council members within seven days of receiving such a petition. ~~Each~~ The council shall  
13 determine the amount of compensation payable to each member of the council, except the  
14 chairman, ~~shall receive the sum of twenty five.~~ The amount payable may not exceed  
15 seventy-five dollars per day for each day spent in performance of the business of the council,  
16 together with traveling plus reimbursement of expenses as provided by law for state officers,  
17 ~~while on council business on the same basis as employees of~~ attending meetings or performing  
18 duties directed by the commissioner.

19 **SECTION 2. AMENDMENT.** Section 4-10.2-05 of the 1999 Supplement to the North  
20 Dakota Century Code is amended and reenacted as follows:

21 **4-10.2-05. Meetings - Quorum - Compensation and expenses of council.** A  
22 majority of the voting members of the council constitutes a quorum for the transaction of all  
23 business in carrying out the duties of the council. All meetings of the council must be called by  
24 the chairman except special meetings which must be called by the chairman on the petition of

1 two council members within seven days of receiving such a petition. ~~Each~~ The council shall  
2 determine the amount of compensation payable to each member of the council ~~is entitled to~~  
3 ~~receive as compensation sixty two dollars and fifty cents.~~ The amount payable may not exceed  
4 seventy-five dollars per day ~~and to plus~~ reimbursement of expenses as provided by law for  
5 state officers, while attending meetings or performing duties directed by the council. No  
6 compensation may be paid under this section to any member who receives compensation or  
7 salary as a regular state employee or official.

8 **SECTION 3. AMENDMENT.** Section 4-10.3-05 of the 1999 Supplement to the North  
9 Dakota Century Code is amended and reenacted as follows:

10 **4-10.3-05. Meetings - Quorum - Compensation and expenses of council.** A  
11 majority of the voting members of the council constitutes a quorum for the transaction of all  
12 business in carrying out the duties of the council. The chairman shall call meetings of the  
13 council. The chairman shall call all special meetings on the petition of three council members  
14 within seven days of receiving the petition. ~~Each~~ The council shall determine the amount of  
15 compensation payable to each member of the council ~~is entitled to receive as compensation~~  
16 ~~sixty two dollars and fifty cents.~~ The amount payable may not exceed seventy-five dollars per  
17 day and to plus reimbursement of expenses as provided by law for state officers, while  
18 attending meetings or performing duties directed by the council. No compensation may be paid  
19 under this section to any member who receives compensation or salary as a regular state  
20 employee or official.

21 **SECTION 4. AMENDMENT.** Section 4-10.4-05 of the 1999 Supplement to the North  
22 Dakota Century Code is amended and reenacted as follows:

23 **4-10.4-05. Meetings - Quorum - Compensation and expenses of council.** A  
24 quorum is necessary for the transaction of all business in carrying out the duties of the council.  
25 The chairman shall call all meetings of the council except special meetings which the chairman  
26 shall call on the petition of two council members within seven days of receiving such a petition.  
27 ~~Each~~ The council shall determine the amount of compensation payable to each voting member  
28 of the council ~~is entitled to receive sixty two dollars and fifty cents as compensation.~~ The  
29 amount payable may not exceed seventy-five dollars per day ~~and necessary mileage and travel~~  
30 ~~expenses as provided in sections 44-08-04 and 54-06-09~~ plus reimbursement of expenses as  
31 provided by law for state officers, while attending council meetings or in the performance of

1 ~~such special performing duties as directed by the council may direct.~~ The compensation  
2 provided in this section may not be paid to any member of the council who receives salary or  
3 other compensation as a regular employee of the state.

4 **SECTION 5. AMENDMENT.** Section 4-10.5-04 of the 1999 Supplement to the North  
5 Dakota Century Code is amended and reenacted as follows:

6 **4-10.5-04. Meetings - Quorum - Compensation and expenses of council.** All  
7 meetings of the council must be called by the chairman except special meetings which must be  
8 called by the chairman on the petition of three council members within seven days of receiving  
9 the petition. ~~Each~~ The council shall determine the amount of compensation payable to each  
10 member of the council, except the commissioner, is entitled to receive sixty two dollars and fifty  
11 cents. ~~The amount payable may not exceed seventy-five dollars per day as compensation,~~  
12 ~~together with expenses as provided in sections 44-08-04 and 54-06-09 plus reimbursement of~~  
13 expenses as provided by law for state officers, while attending meetings or performing duties  
14 directed by the council, except that no compensation may be paid to any council member who  
15 receives compensation or salary as a regular state employee or official.

16 **SECTION 6. AMENDMENT.** Section 4-10.6-04 of the 1999 Supplement to the North  
17 Dakota Century Code is amended and reenacted as follows:

18 **4-10.6-04. Meetings - Compensation and expenses of council.** The chairman shall  
19 call all meetings of the council. The chairman shall call special meetings on the petition of three  
20 council members, within seven days of receiving the petition. ~~Each~~ The council shall determine  
21 the amount of compensation payable to each council member ~~is entitled to receive as per diem~~  
22 ~~compensation sixty two dollars and fifty cents, and.~~ The amount payable may not exceed  
23 seventy-five dollars per day plus reimbursement of expenses as provided by law for state  
24 officers, while attending meetings or performing duties directed by the council, except that no  
25 compensation under this section may be paid to any member who receives compensation or  
26 salary as a regular state employee or official.

27 **SECTION 7. AMENDMENT.** Section 4-10.7-05 of the 1999 Supplement to the North  
28 Dakota Century Code is amended and reenacted as follows:

29 **4-10.7-05. Meetings - Quorum - Compensation of council members.** A majority of  
30 the voting members of the council constitutes a quorum for the transaction of all business in  
31 carrying out the duties of the council. All meetings of the council must be called by the

1 chairman except special meetings which must be called by the chairman on the petition of three  
2 council members within seven days of receiving the petition. ~~Each~~ The council shall determine  
3 the amount of compensation payable to each member of the council ~~is entitled to receive as~~  
4 ~~compensation sixty two dollars and fifty cents.~~ The amount payable may not exceed  
5 seventy-five dollars per day and to plus reimbursement of expenses as provided by law for  
6 state officers, while attending meetings or performing duties directed by the council, except that  
7 no compensation under this section may be paid to any member who receives compensation or  
8 salary as a regular state employee or official.

9 **SECTION 8. AMENDMENT.** Subsection 4 of section 4-18.1-04 of the 1999  
10 Supplement to the North Dakota Century Code is amended and reenacted as follows:

11 4. ~~Each~~ The board shall determine the amount of compensation payable to each  
12 member of the board shall receive fifty. The amount payable may not exceed  
13 seventy-five dollars per diem for each day actually spent in the performance of the  
14 ~~member's official~~ day plus reimbursement for expenses as provided by law for  
15 state officers, while attending meetings or performing duties, plus mileage and  
16 ~~expenses as are allowed to other state officers, but in no event may a~~ directed by  
17 the board. A member's per diem payments may not exceed fifteen hundred dollars  
18 in any one year.

19 **SECTION 9. AMENDMENT.** Subsection 3 of section 4-27-05 of the 1999 Supplement  
20 to the North Dakota Century Code is amended and reenacted as follows:

21 3. ~~The appointive and elected members of the commission are entitled to receive a~~  
22 ~~salary of forty seven dollars~~ shall determine the amount of compensation payable  
23 to each member of the commission. The amount payable may not exceed  
24 seventy-five dollars per day plus reimbursement of expenses as provided by law  
25 for state officers, while actually engaged in the official duties of attending meetings  
26 or performing duties directed by the commission, plus their actual expenses at the  
27 ~~same rates as other state officials.~~

28 **SECTION 10. AMENDMENT.** Section 4-28-05 of the 1999 Supplement to the North  
29 Dakota Century Code is amended and reenacted as follows:

30 **4-28-05. Wheat commission - Meeting - Expenses - Legal adviser.** Upon call of the  
31 governor, the commission shall first meet and organize by electing from the membership a

1 chairman and vice chairman, who shall hold office for one year and until their successors are  
2 elected and have qualified. Thereafter the commission shall meet at least once every calendar  
3 quarter at such times and places as determined by the commission and may meet in special  
4 meetings upon such call and notice as prescribed by rules adopted by the commission.  
5 ~~Members of the~~ The commission must be reimbursed for actual shall determine the amount of  
6 compensation payable to each member of the commission. The amount payable may not  
7 exceed seventy-five dollars per day plus reimbursement of expenses necessarily incurred in as  
8 provided by law for state officers, while attending meetings and or performing other official  
9 duties on the same basis as other state officers and are entitled to receive as per diem  
10 compensation sixty two dollars and fifty cents for each day actually devoted to official business  
11 of directed by the commission. The attorney general shall act as legal adviser to the  
12 commission or designate an assistant for that purpose and within the limit of the funds available  
13 to the commission it may employ other counsel to advise and represent the commission in its  
14 affairs and proceedings.

15 **SECTION 11. AMENDMENT.** Section 4-34-07 of the North Dakota Century Code is  
16 amended and reenacted as follows:

17 **4-34-07. Compensation - Expenses.** ~~Commission members shall receive the sum of~~  
18 ~~forty~~ The commission shall determine the amount of compensation payable to each member of  
19 the commission. The amount payable may not exceed seventy-five dollars per day for each  
20 meeting attended and shall receive necessary plus reimbursement of expenses for meals,  
21 lodging, and travel in the same amount and in the same manner as permitted as provided by  
22 law for state officials and employees officers, while attending meetings or performing other  
23 official duties as directed by the commission. The members of the commission shall receive no  
24 other salary or compensation for their service on the commission.