

SENATE BILL NO. 2223

Introduced by

Senators Urlacher, Krauter, Wardner

Representative Haas

1 A BILL for an Act to amend and reenact sections 61-24.5-04 and 61-24.5-08 of the North
2 Dakota Century Code, relating to the board of directors of the southwest water authority; and to
3 repeal section 61-24.5-05 of the North Dakota Century Code, relating to the initial board of
4 directors of the southwest water authority.

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

6 **SECTION 1. AMENDMENT.** Section 61-24.5-04 of the 1999 Supplement to the North
7 Dakota Century Code is amended and reenacted as follows:

8 **61-24.5-04. Board of directors - Officers - Meetings - Compensation.** The authority
9 must be governed by a board of directors who must be chosen in accordance with this chapter.
10 ~~At the first election after the initial board of directors has been appointed, two directors~~ One
11 director must be elected from each county within the authority, and ~~three~~ two directors must be
12 elected in the city of Dickinson. The ~~two directors~~ director from Stark County may not be
13 ~~residents~~ a resident of the city of Dickinson. The board shall elect from the directors a
14 chairman, vice chairman, and secretary. A majority of the directors constitutes a quorum for the
15 purpose of conducting the business of the board. The board shall meet at the time and place
16 designated by the secretary. Board members are entitled to receive compensation in the
17 amount not to exceed sixty-two dollars and fifty cents per day and must be reimbursed for their
18 mileage and expenses in the amount provided for by sections 44-08-04 and 54-06-09.

19 **SECTION 2. AMENDMENT.** Section 61-24.5-08 of the North Dakota Century Code is
20 amended and reenacted as follows:

21 **61-24.5-08. Term of office of directors - Oath of office - Bonds.** Members of the
22 board of directors of the authority ~~shall~~ hold office for a term of four years, until a successor has
23 been duly elected and qualified, ~~but one half of the first county directors elected shall hold office~~
24 ~~for a term of two years, and one half shall hold office for a term of four years. Two of the three~~

1 ~~first city directors shall hold office for a term of four years, and the third shall hold office for a~~
2 ~~term of two years. Terms of office of directors elected at the first election must be determined~~
3 ~~by lot. Each county shall have one two-year director and one four-year director, and the city of~~
4 ~~Dickinson shall have one two-year and two four-year directors on the first elected board of~~
5 ~~directors. Directors elected thereafter shall hold office for a term of four years. If the office of~~
6 ~~any director becomes vacant by reason of the failure of any director elected at any election to~~
7 ~~qualify or for any other reason, the director's successor must be appointed to fill the vacancy by~~
8 ~~the board of county commissioners of the county in which the vacancy occurs, or by the~~
9 ~~governing body of the city of Dickinson. A director appointed to fill a vacancy shall hold office~~
10 ~~for the unexpired term of the director whose office has become vacant, and until a successor~~
11 ~~has been elected and qualified.~~

12 Members of the board of directors elected from a county must be elected at the primary
13 election, ~~beginning in 1992~~, and shall assume office on the first Monday in July following their
14 election. Members of the board of directors elected from the city of Dickinson must be elected
15 at the municipal election, ~~beginning in 1992~~, and shall assume office on the first Monday in July
16 following their election.

17 In 2002 all directors' terms are deemed to have expired, and each county shall elect one
18 director to serve on the board of directors and the city of Dickinson shall elect two directors to
19 serve on the board of directors. In 2002 one director from the city of Dickinson and directors
20 from Adams, Billings, Dunn, Grant, Oliver, and Slope counties must be elected for two-year
21 terms and in 2004 and thereafter must be elected for four-year terms. All other directors
22 elected in 2002 must be elected for four-year terms.

23 Before assuming the duties of the office of director, each director shall take and
24 subscribe to the oath of office prescribed by law for civil officers. The authority treasurer must
25 be bonded in an amount as the board may prescribe.

26 **SECTION 3. REPEAL.** Section 61-24.5-05 of the North Dakota Century Code is
27 repealed.