

**Fifty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 4, 2005**

SENATE BILL NO. 2345
(Senators Every, Triplett)
(Representatives Devlin, Nelson, Vigesaa)

AN ACT to amend and reenact section 23-11-05 of the North Dakota Century Code, relating to the compensation of housing authority commissioners.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 23-11-05 of the North Dakota Century Code is amended and reenacted as follows:

23-11-05. Commissioners of authority - Appointment, qualifications, tenure, compensation. When the governing body of a city adopts a resolution, declaring there is need for a housing authority, ~~it~~ the governing body promptly shall notify the mayor of ~~such~~ the adoption. Upon receiving ~~such~~ the notice, the mayor shall appoint five persons as commissioners of the authority ~~created for said city~~. When the governing body of a county adopts a resolution declaring there is need for a housing authority, ~~said~~ the governing body shall appoint five persons as commissioners of the authority ~~created for said county~~. The commissioners who are first appointed must be designated to serve for terms of one, two, three, four, and five years, respectively, from the date of ~~their~~ appointment, and ~~thereafter~~, after that time each commissioner must be appointed for a term of office of five years except that all vacancies must be filled for the unexpired term. A commissioner shall hold office until a successor has been appointed and has qualified. A certificate of the appointment or reappointment of any commissioner must be filed with the auditor of the city or county, as the case may be, and ~~such~~ the certificate is conclusive evidence of the due and proper appointment of ~~such~~ the commissioner. A commissioner, ~~other than one who is a county commissioner~~, may receive ~~ten dollars~~ up to forty-five dollars a day for each day necessarily devoted to the work of the office ~~and is entitled to the necessary expenses, including traveling expenses, incurred in the discharge of those duties~~. The per diem compensation provided for in this section may not exceed ~~three~~ six hundred dollars in any one fiscal year. A commissioner, other than one who is a county commissioner, also may be compensated for the necessary expenses, including travel expenses, incurred in the discharge of the commissioner's duties.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-ninth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2345.

Senate Vote: Yeas 45 Nays 0 Absent 2

House Vote: Yeas 85 Nays 4 Absent 5

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2005.

Approved at _____ M. on _____, 2005.

Governor

Filed in this office this _____ day of _____, 2005,

at _____ o'clock _____ M.

Secretary of State