

**HOUSE BILL NO. 1108**

Introduced by

Representatives Pyle, Adams, Becker

Senators Hogue, Meyer, K. Roers

1 A BILL ~~for an Act to amend and reenact sections 11-11-35 and 16.1-15-32 of the North Dakota~~  
2 ~~Century Code, relating to county notification requirements.~~ for an Act to amend and reenact  
3 sections 11-11-37 and 40-01-09.1 of the North Dakota Century Code, relating to notification  
4 requirements.

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

6 ~~— **SECTION 1. AMENDMENT.** Section 11-11-35 of the North Dakota Century Code is~~  
7 ~~amended and reenacted as follows:~~

8 ~~— **11-11-35. Board to keep records of proceedings.**~~

9 ~~— The board of county commissioners shall keep a book in which all orders and decisions~~  
10 ~~made by it shall be the board are recorded. Such The book shall must be known as "a record of~~  
11 ~~the proceedings of the board of county commissioners". All orders and vouchers for the~~  
12 ~~allowance and payment of moneys from the county treasury shall must state on what account~~  
13 ~~and to whom the allowance is made. The same shall order or voucher must be dated and~~  
14 ~~numbered with the number of the warrant issued in payment thereof. Approval of orders and~~  
15 ~~vouchers shall must be recorded in the record of the proceedings and this shall be, which is~~  
16 ~~sufficient to indicate approval without requiring a majority of the board to sign or initial the orders~~  
17 ~~and vouchers. Orders and vouchers for payment of moneys from the county treasury are not~~  
18 ~~required to be published in the minutes or report of the official proceedings if that information~~  
19 ~~otherwise is made available on the county's official website.~~

20 ~~— **SECTION 2. AMENDMENT.** Section 16.1-15-32 of the North Dakota Century Code is~~  
21 ~~amended and reenacted as follows:~~

22 ~~— **16.1-15-32. County auditor to publish returns of election.**~~

23 ~~— The county auditor shall cause to be published in tabular form in the official county~~  
24 ~~newspaper or the official website of the county the vote by precincts for each officer and each~~

~~proposition voted for at any primary, special, or general election. The fee published in the official county newspaper, the publication must be paid for at a rate not to exceed the rate paid for publishing the proceedings of the board of county commissioners.~~

**SECTION 1. AMENDMENT.** Section 11-11-37 of the North Dakota Century Code is amended and reenacted as follows:

**11-11-37. Proceedings of board of county commissioners to be published in official newspaper - When published.**

The board of county commissioners shall supply to the official newspaper of the county a full and complete report of its official proceedings at each regular and special meeting no later than seven days after the meeting at which the report is read and approved. The publisher of the official newspaper shall publish the report in the issue of the paper next succeeding the time of its reception and shall file with the county auditor an affidavit of publication executed in the proper form. Orders and vouchers for payment of moneys from the county treasury are not required to be published in the minutes or report of the official proceedings if that information otherwise is made available on the county's official website. If orders and vouchers for payment are made available on the county's official website, the publisher of the official newspaper shall publish the website address where the information is available.

**SECTION 2. AMENDMENT.** Section 40-01-09.1 of the North Dakota Century Code is amended and reenacted as follows:

**40-01-09.1. Publication of city government proceedings - Electorate to decide.**

1. Beginning with the 1996 biennial municipal elections, and every four years thereafter, all cities in North Dakota, regardless of their form of government, must put on the ballot the question of whether the minutes of its governing body shall be published in its official newspaper. If voters approve publication, the governing body shall, within seven days after each of its meetings, give its official newspaper, for publication, the complete minutes, or a complete summary showing the substantive actions taken at the meeting.
2. Roll call votes must be published, but may be indicated as "unanimous" when appropriate. A list of the individual checks written by the city and approved by the governing body, showing the payee and the amount of each check, must be published. However, employee salary checks need not be published if the governing body elects

1 to publish an annual salary schedule for each employee. When applicable, these  
2 minutes may be labeled as being published subject to the governing body's review  
3 and revision. The minutes shall continue to be published until disapproved at a  
4 succeeding quadrennial election.

5 3. Individual checks written by the city are not required to be published in the minutes or  
6 report of the official proceedings if that information otherwise is made available on the  
7 city's official website. If orders and vouchers for payment are made available on the  
8 county's official website, the publisher of the official newspaper shall publish the  
9 website address where the information is available.