

**Sixty-second Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 4, 2011**

SENATE BILL NO. 2219
(Senators Olafson, Andrist, Dotzenrod)
(Representatives Brandenburg, Monson, Mueller)

AN ACT to amend and reenact section 58-05-12 of the North Dakota Century Code, relating to township officer interest in a township contract.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 58-05-12 of the North Dakota Century Code is amended and reenacted as follows:

58-05-12. Officers interested in contracts of township.

Except as otherwise provided by this section, no township officer may become a party to or be interested, directly or indirectly, in any contract made by the board of which the officer is a member. Every contract or payment voted for or made contrary to this section is void. Any violation of this section constitutes malfeasance in office which subjects the offending officer to removal from office. A township ~~supervisor~~officer may become a party to or be interested, directly or indirectly, in any contract made by the board if:

1. ~~No other qualified individual is willing to undertake the contract;~~The officer is qualified to undertake the contract.
2. The board, when possible, has requested bids or offers from at least two persons.
3. The board gives due consideration to all reasonable bids or offers to provide the same service to the township.
4. The officer having an interest in the contract is a supervisor, that supervisor does not vote on the contract; and
3. ~~The the other members of the board of supervisors vote unanimously in favor of the contract.~~
5. The officer having an interest in the contract is not a supervisor, all members of the board of supervisors vote unanimously in favor of the contract.

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 Sixty-second Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2219.

Senate Vote: Yeas 44 Nays 3 Absent 0

House Vote: Yeas 92 Nays 0 Absent 2

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2011.

Approved at _____ M. on _____, 2011.

Governor

Filed in this office this _____ day of _____, 2011,

at _____ o'clock _____ M.

Secretary of State