

Sixty-fifth  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2136**

Introduced by

Senators Grabinger, Oehlke

Representatives Dobervich, Pollert, Satrom

1 A BILL for an Act to amend and reenact section 23-11-05 of the North Dakota Century Code,  
2 relating to the appointment of housing authority commissioners.

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

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

6 **23-11-05. Commissioners of authority - Appointment, qualifications, tenure,**  
7 **compensation.**

8 When the governing body of a city adopts a resolution declaring there is need for a housing  
9 authority, the governing body promptly shall notify the mayor of the adoption. Upon receiving the  
10 notice, the mayor shall appoint no fewer than five persons as commissioners of the authority.  
11 When the governing body of a county adopts a resolution declaring there is need for a housing  
12 authority, the governing body shall appoint no fewer than five persons as commissioners of the  
13 authority. ~~The commissioners who are first must be appointed must be designated to serve for~~  
14 ~~terms of one, two, three, four, and five years, respectively, from the date of appointment, and~~  
15 ~~after that time each commissioner must be appointed for a term of office for terms of five years,~~  
16 ~~except that all vacancies must be filled for the unexpired term. The terms of the commissioners~~  
17 must be staggered to ensure an approximately equal number of appointments expire each year.  
18 A commissioner shall hold office until a successor has been appointed and has qualified. A  
19 certificate of the appointment or reappointment of any commissioner must be filed with the  
20 auditor of the city or county, as the case may be, and the certificate is conclusive evidence of  
21 the ~~due and proper~~ appointment of the commissioner. The governing body of the city or county  
22 shall establish the rate of compensation for commissioners and actual expenses incurred by  
23 commissioners may be reimbursed at the official reimbursement rates of the appointing  
24 authority.