

**SENATE BILL NO. 2136  
with House Amendments  
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 and the term of one or more commissioners may initially be less than five years to  
19 accommodate the required staggering of terms. A commissioner shall hold office until a  
20 successor has been appointed and has qualified. A certificate of the appointment or  
21 reappointment of any commissioner must be filed with the auditor of the city or county, as the  
22 case may be, and the certificate is conclusive evidence of the ~~due and proper~~ appointment of  
23 the commissioner. The governing body of the city or county shall establish the rate of

Sixty-fifth  
Legislative Assembly

- 1 compensation for commissioners and actual expenses incurred by commissioners may be
- 2 reimbursed at the official reimbursement rates of the appointing authority.