MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M

ROLL NUMBER

DESCRIPTION

2175

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature

5/17/03
Date

2003 SENATE POLITICAL SUBDIVISIONS

SB 2175

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature

1/17/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. **SB 2175**

Senate Political Subdivisions Committee

☐ Conference Committee

Hearing Date **February 13, 2003**

Tape Number	Side A	Side B	Meter #
1	X		0 - 1130
Committee Clerk Signature	Shirley Borg		

Minutes:

CHAIRMAN COOK called the committee to order. All senators (6) present.

CHAIRMAN COOK opened the hearing on SB 2175 relating to the compensation of a mayor.

SENATOR POLOVITZ introduced the bill and turned the explanation over to Jerry Hjelmstad, ND League of Cities.

Jerry Hjelmstad, ND League of Cities, testified in support of SB 2175. (See attached testimony)

SENATOR SYVERSON asked about the background of why the sentence was originally included in the code.

Jerry Hjelmstad answered that he believed it was in there because the pay for council members and commissioners was limited by category where they could only be paid with in certain limits

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature 5/17/03 Date

before the change was made last session whereas the pay for mayor had not had limitations to be set at any level. Now with the limitation being removed for council members and commissioners, they felt it was the right time to have the mayors salary in the same position.

No other testimony.

CHAIRMAN COOK closed the hearing on SB 2175.

Committee action.

SENATOR JUDY LEE moved a DO PASS on SB 2175

SENATOR CHRISTENSON seconded the motion.

Roll call vote: 5 Yes 1 No 0 Absent

Carrier: **SENATOR POLOVITZ**

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature 05/17/03 Date

Date: 2-13-03
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2175

Senate Political Subdivisions Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Senator Judy Lee Seconded By Senator Christenson

Senators	Yes	No	Senators	Yes	No
Senator Dwight Cook, Chairman	X				
Senator John O. Syverson, V C		X			
Senator Gary A. Lee	X				
Senator Judy Lee	X				
Senator Linda Christenson	X				
Senator Michael Polovitz	X				

Total (Yes) 5 No 1

Absent 0

Floor Assignment Senator Polovitz

If the vote is on an amendment, briefly indicate intent:

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature 2/17/03 Date

REPORT OF STANDING COMMITTEE (410)
February 13, 2003 1:37 p.m.

Module No: SR-28-2592
Carrier: Polovitz
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2175: Political Subdivisions Committee (Sen. Cook, Chairman) recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2175 was placed on the Eleventh order on the calendar.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature 05/17/03 Date

2003 HOUSE POLITICAL SUBDIVISIONS

SB 2175

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature

10/17/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2175

House Political Subdivisions Committee

☐ Conference Committee

Hearing Date: March 13, 2003

Tape Number	Side A	Side B	Meter #
1	X		15.5-20.2
Committee Clerk Signature	Micki Schmidt		3-28-03

Minutes:

TAPE 1: SIDE A:

(15.5) CHAIRMAN GLEN FROSETH: We will open the hearing on SB 2175.

(15.9) JERRY HJELMSTAD: LEAGUE OF CITIES: (Testimony in support) (See attachment #1)

(18.0) REP. NANCY JOHNSON: This bill pertains just to the liaison and not the city commissions?

(18.1) JERRY HJELMSTAD: Correct, under the commission form, they're all governed under section 4009-06. The only impact is the Mayor.

(18.3) REP. RON IVERSON: Will the competition's not be changed, if he was reelected to another four year term, they can change it at that time, couldn't they?

(18.5) JERRY HJELMSTAD: Right. What's happened before is that they're going to change compensation for Mayor and they would make it effective beginning with the next term. What

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature 10/17/03 Date

we're running into is that they were looking at changes in their council member pay. It hasn't been changed for some time. They were in a situation where they could change them but not the Mayor.

(18.9) CHAIRMAN GLEN FROSETH: Questions? Support? Opposition? Seeing none, I will close the hearing on SB 2175.

(19.3) REP. ANDREW MARAGOS: I WOULD MOVE A DO PASS.

(19.3) REP. RON IVERSON: I SECOND IT.

(19.4) CHAIRMAN GLEN FROSETH: Any committee discussion? Seeing none, I will have the clerk take the **Roll Call Vote: 12-y; 0-n; 2-absent; Carrier: Rep. Pietsch. (20.2)**

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature 5/17/03 Date

Date: 3-13-03

Roll Call Vote #: 3

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2175

House **"POLITICAL SUBDIVISION"** Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Rep. Maragos Seconded By Rep. Iverson

Representatives	Yes	No	Representatives	Yes	No
Chairman Glen Froseth	✓				
Vice-Chairman Nancy Johnson	✓				
Mike Grosz	✓				
Gil Herbel	✓				
Ron Iverson	✓				
William E. Kretschmar	✓				
Andrew Maragos	✓				
Dale Severson	✓				
Alon Wieland	✓				
Bruce Eckre	O				
Mary Ekstrom	O				
Carol A. Niemeier	✓				
Sally M. Sandvig	✓				
Vonnie Pietsch	✓				

Total (Yes) 12 No 0

Absent 2

Floor Assignment Rep. Vonnie Pietsch

If the vote is on an amendment, briefly indicate intent:

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature 5/17/03 Date

REPORT OF STANDING COMMITTEE (410)
March 13, 2003 2:52 p.m.

Module No: HR-45-4737
Carrier: Pietsch
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2175: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2175 was placed on the Fourteenth order on the calendar.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature

5/17/03
Date

2003 TESTIMONY

SB 2175

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature

1/17/03
Date

To: Senate Political Subdivisions Committee
From: Jerry Hjelmstad, North Dakota League of Cities
Date: February 13, 2003
Re: Senate Bill No. 2175

Same to House

Mr. Chairman and members of the Senate Political Subdivisions Committee, my name is Jerry Hjelmstad and I am here on behalf of the North Dakota League of Cities to testify in support of Senate Bill No. 2175.

During the 2001 state legislative session, a bill was introduced to provide for a change in the maximum pay limitations for city commissioners under the city commission form of government. (Senate Bill 2253) At that time, the pay limits for city commissioners had not been changed since 1985. The Senate Political Subdivisions Committee amended that bill to provide that the pay for city commissioners should be set by local ordinance. (NDCC 40-09-06)

At that same time, that committee added amendments to provide that the pay for city council members under the mayor-council form of government (NDCC 40-08-07) and under the modern council form of government (NDCC 40-04.1-02) should also be set by local ordinance.

Since the changes from the 2001 session became effective, we have been contacted by cities under the council form of government who would like to increase compensation for council members but are troubled by the language that we seek to amend in Senate Bill 2175 that would prevent them from increasing the salary for the mayor at the same time.

Senate Bill 2175 would allow the compensation for the office of mayor to be set in the same manner as the compensation for other city governing board members. The compensation would be set by local ordinance.

We ask you to recommend a "do pass" on Senate Bill No. 2175.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature

5/17/03
Date

40-09-06. Style of board — Oath and salary of commissioners. The commissioners and the president of the board constitute the board of city commissioners and shall take an oath faithfully to perform the duties of their respective offices. The monthly salary of each city commissioner must be fixed by ordinance. The president of a commission may receive a salary of up to fifty percent more than the level set for each commissioner upon resolution by the board of city commissioners.

Source: S.L. 1907, ch. 45, §§ 20, 32; 1911, ch. 77, §§ 20, 32; 1913, ch. 80, § 1; C.L. 1913, §§ 3790, 3802; S.L. 1943, ch. 182, §§ 1, 2; R.C. 1943, § 40-0906; S.L. 1957, ch. 278, § 2; 1957 Supp., § 40-0906; S.L. 1967, ch. 326, § 1; 1971, ch. 390, § 1; 1975, ch. 369, § 2; 1985, ch. 456, § 2; 2001, ch. 357, § 3.

Effective Date.
The 2001 amendment of this section by section 3 of chapter 357, S.L. 2001 became effective August 1, 2001.

40-08-07. Compensation of council members. Each council member is entitled to receive compensation for services as established by ordinance.

Source: S.L. 1887, ch. 73, art. 5, § 11; R.C. 1895, § 2165; R.C. 1899, § 2165; S.L. 1905, ch. 62, § 66; R.C. 1905, § 2697; C.L. 1913, § 3621; S.L. 1921, ch. 30; 1925 Supp., § 3621; R.C. 1943, § 40-0807; S.L. 1957, ch. 278, § 1; 1957 Supp., § 40-0807; S.L. 1971, ch. 389, § 1; 1975, ch. 369, § 1; 1981, ch. 411, § 1; 1985, ch. 456, § 1; 1991, ch. 440, § 12; 2001, ch. 357, § 2.

Effective Date.
The 2001 amendment of this section by section 2 of chapter 357, S.L. 2001 became effective August 1, 2001.

40-04.1-02. Compensation of council members. The members of the council are entitled to receive such compensation for their services as is fixed by ordinance.

Source: S.L. 1965, ch. 285, § 2; 1993, ch. 401, § 30; 2001, ch. 357, § 1.

Effective Date.
The 2001 amendment of this section by section 1 of chapter 357, S.L. 2001 became effective August 1, 2001.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature

5/17/03
Date