

HOUSE BILL NO. 1255

Introduced by

Representatives Thoreson, Kasper, B. Koppelman, Ruby, Schmidt

Senators Armstrong, Sorvaag

1 A BILL for an Act to amend and reenact sections 11-11-37, 15.1-09-31, and 40-01-09.1 of the
2 North Dakota Century Code, relating to the publishing of all payments and obligations within
3 city, county, and school district governing body minutes and proceedings.

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

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

7 **11-11-37. Proceedings of board of county commissioners to be published in official**
8 **newspaper - When published.**

9 The board of county commissioners shall supply to the official newspaper of the county a
10 full and complete report of its official proceedings at each regular and special meeting no later
11 than seven days after the meeting at which the report is read and approved. The report must
12 include an itemized list of all obligations approved for payment. The itemized list of obligations
13 approved for payment must include a check number if a payment is made by check, a
14 description of any electronic fund transfer, the name of each payee, and the amount of each
15 payment. Any single payment made for multiple obligations must be included in the list in a
16 manner that itemizes each individual obligation. The publisher of the official newspaper shall
17 publish the report in the issue of the paper next succeeding the time of its reception and shall
18 file with the county auditor an affidavit of publication executed in the proper form.

19 **SECTION 2. AMENDMENT.** Section 15.1-09-31 of the North Dakota Century Code is
20 amended and reenacted as follows:

21 **15.1-09-31. School board proceedings - Publication.**

22 Every two years, at the time of a school district's annual election of board members, the
23 electors of the district shall determine whether a record of the board proceedings must be
24 published in the official newspaper of the district. If a majority of the electors voting on the

1 question approve the publication, the school district business manager shall provide for
2 publication of the school board proceedings, including an itemized list of obligations approved
3 for payment. The itemized list of obligations approved for payment must include a check
4 number if a payment is made by check, a description of any electronic fund transfer, the name
5 of each payee, and the amount of each payment. Any single payment made for multiple
6 obligations must be included in the list in a manner that itemizes each individual obligation. If
7 appropriate, the business manager shall require that the newspaper publishing the board
8 proceedings indicate that the published proceedings are subject to review and revision by the
9 board. The business manager shall ensure that the proceedings are published within a
10 reasonable time after each board meeting. A vote to approve the publication is effective for a
11 period of two years or until disapproved at a succeeding school district election.

12 **SECTION 3. AMENDMENT.** Section 40-01-09.1 of the North Dakota Century Code is
13 amended and reenacted as follows:

14 **40-01-09.1. Publication of city government proceedings - Electorate to decide.**

15 Beginning with the 1996 biennial municipal elections, and every four years thereafter, all
16 cities in North Dakota, regardless of their form of government, must put on the ballot the
17 question of whether the minutes of its governing body shall be published in its official
18 newspaper. If voters approve publication, the governing body shall, within seven days after
19 each of its meetings, give its official newspaper, for publication, the complete minutes, or a
20 complete summary showing the substantive actions taken at the meeting.

21 Roll call votes must be published, but may be indicated as "unanimous" when appropriate.
22 ~~A list of the individual checks written by the city and approved by the governing body, showing~~
23 ~~the payee and the amount of each check; An itemized list of all obligations approved for~~
24 ~~payment by the governing body must be published. The itemized list must include a check~~
25 ~~number if a payment is made by check, a description of any electronic fund transfer, the name~~
26 ~~of each payee, and the amount of each payment. Any single payment made for multiple~~
27 ~~obligations must be included in the list in a manner that itemizes each individual obligation.~~
28 However, employee salary checks need not be published if the governing body elects to publish
29 an annual salary schedule for each employee. When applicable, these minutes may be labeled
30 as being published subject to the governing body's review and revision. The minutes shall
31 continue to be published until disapproved at a succeeding quadrennial election.