Sixty-fourth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2015

SENATE BILL NO. 2229
(Senators Davison, Casper, Sorvaag)
(Representatives Boehning, Kading)

AN ACT to amend and reenact section 15.1-09-01 of the North Dakota Century Code, relating to the membership of the board of education of the city of Fargo.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15.1-09-01 of the North Dakota Century Code is amended and reenacted as follows:

15.1-09-01. School board membership - Size and term adjustments.

1. The board of a school district must be composed of five, seven, or nine members.

2. The size of a school board may be increased to seven or nine members or decreased to seven or five members if a petition is signed by qualified electors of the school district equal in number to at least one-third of those who voted at the most recent annual school district election and the change is approved by a majority of the qualified electors of the school district voting on the question at a special election called for that purpose.

3. If a majority of the qualified voters in a school district elect to increase the size of the school board, the additional members must be elected to the board at the next annual school district election in the same manner as other board members.

   a. If the total number of board members after approval of the increase is seven, the terms of three members extend until the first annual election, the terms of two members extend until the second annual election, and the terms of the remaining two members extend until the third annual election.

   b. If the total number of board members after approval of the increase is nine, the terms of three members extend until the first annual election, the terms of three members extend until the second annual election, and the terms of the remaining three members extend until the third annual election.

   c. The length of the terms specified in this subsection must be determined by lot.

   d. All board members shall serve for the terms specified in this subsection and until their successors are elected and qualified.

   e. The length of any term in existence before the increase in board membership and held by a board member who is duly qualified may not be modified.

   f. Terms subsequent to the first term are for the normal period of three years and extend until a successor is elected and qualified.

4. ~~If on July 1, 2005, the board of any school district contains only three members, the board must be increased to five members and the additional members must be elected at the next annual school district election, in the same manner as other board members. The initial term of one additional member must be one year and the initial term of the other additional member must be two years. The length of the terms specified in this subsection must be determined by lot. Thereafter, the size of the board may be increased in accordance with subsections 2 and 3.~~

~~5.~~ The voters of a school district shall elect school board members at large. If, however, the district has been reorganized, board members may be elected at large, by geographical area, or at large by geographical area.

~~6.~~5. An election on a reorganization proposal takes the place of the petition and election requirements of this section. Approval of the reorganization proposal has the same effect as if the approval were by the election provided for in this section.

~~7.~~6. If the qualified electors of a district approve a reduction in the size of the school board, the excess number of members will serve out existing terms until the number approved by the electors has been reached.

~~8.~~7. If the board of a school district has elected to convert its members' terms to four years and has also increased the number of its board members, the board by lot or by some other random selection method shall provide for a combination of initial terms of office not to exceed four years for the new members. The combination must equalize to the greatest extent possible the number and length of terms for old board members and for new members to be elected during the next three election years. The members' terms must be staggered and must expire in even-numbered years.

~~9. Notwithstanding the provisions of this section, the board of education of the city of Fargo consists of nine members.~~

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-fourth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2229.

Senate Vote:	Yeas 47	Nays 0	Absent 0
House Vote:	Yeas 85	Nays 0	Absent 9

Secretary of the Senate

Received by the Governor at 8:45 A.M. on March 12, 2015.

Approved at 1:28 P.M. on March 12, 2015.

Governor

Filed in this office this 12th day of March, 2015,

at 425 o'clock P M.

Secretary of State