

**Sixty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 5, 2021**

HOUSE BILL NO. 1220
(Representatives Sanford, Hanson, D. Johnson, Martinson, Monson, Stemen)
(Senators Bekkedahl, Krebsbach)

AN ACT to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to exemptions from open meetings requirements for the state board of higher education; and to amend and reenact subsection 1 of section 15-10-17 of the North Dakota Century Code, relating to exemptions from open meetings requirements for the state board of higher education.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 1 of section 15-10-17 of the North Dakota Century Code is amended and reenacted as follows:

1. a. ~~Appoint and remove the president or other faculty head, and the professors, instructors, teachers, officers, and other employees of the several institutions under its~~the board's control, and to fix their~~fix the salaries for those positions within the limits of legislative appropriations therefor,; and to fix the terms of office and to prescribe the duties thereof, provided that the consideration of the appointment or removal of any such personnel shall be in executive session if the board chooses unless the individual involved requests that the meeting be open to other individuals or to the public~~of the positions.
- b. Appoint and remove the commissioner of higher education, fix the commissioner's salary within the limits of legislative appropriations, and prescribe the commissioner's duties.
- c. Appoint and remove all university system office personnel, fix their salaries within the limits of legislative appropriations, fix their terms of office, and prescribe their duties.
- d. The board may hold an executive session to consider the appointment or removal of the commissioner of higher education, or a president or other faculty head, professor, instructor, teacher, officer, or other employee of an institution under the board's control unless the individual involved requests the meeting be open to other individuals or the public.

SECTION 2. A new section to chapter 15-10 of the North Dakota Century Code is created and enacted as follows:

Quorums of state board of higher education committees.

1. The state board of higher education may create committees comprised of voting members of the board. The scope of authority for a committee created under this section must be defined in a policy adopted by the board, and the committee's actions may not exceed that scope.
2. If a committee comprised of voting members of the board constitutes a quorum of the board, a properly noticed meeting of the committee does not constitute a meeting of the board. Actions of the committee do not constitute actions of the board.
3. If a committee comprised of voting members of the board constitutes, in whole or in part, a quorum of another committee of the board, a properly noticed meeting of one committee's meeting does not constitute a meeting of the other committee, unless the meeting of the other committee also is properly noticed. Actions taken at the meeting are limited to the scope of authority of the committee for which the meeting was noticed properly.

Kindred
Speaker of the House

Brundage
President of the Senate

Bull T. Reid
Chief Clerk of the House

David Morgan
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-seventh Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1220.

House Vote: Yeas 84 Nays 6 Absent 4

Senate Vote: Yeas 45 Nays 2 Absent 0

Bull T. Reid
Chief Clerk of the House

Received by the Governor at 11:40 A.M. on March 24, 2021.

Approved at 5:47 P.M. on March 25, 2021.

Doug Burgum
Governor

Filed in this office this 26th day of March, 2021,
at 9:38 o'clock A. M.

Alvin Sorenson
Secretary of State