

Sixty-fourth  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2134

Introduced by

Judiciary Committee

(At the request of the State Board of Higher Education)

1 A BILL for an Act to amend and reenact subsection 1 of section 15-10-17 of the North Dakota  
2 Century Code, relating to the appointment and removal of institution presidents and the  
3 commissioner of higher education by the state board of higher education; and to declare an  
4 emergency.

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

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

8 1. a. Appoint and remove the president or other faculty head, and the professors,  
9 instructors, teachers, officers, and other employees of the several institutions  
10 under its control, ~~and to fix their salaries within the limits of legislative~~  
11 ~~appropriations therefor, and to fix the terms of office and to prescribe the duties~~  
12 ~~thereof, provided that the consideration of the appointment or removal of any-~~  
13 ~~such personnel shall be~~ must take place in executive session if the, unless:

14 (1) The board chooses unless the to open the meeting; or

15 (2) The individual involved requests that the meeting be open to other  
16 individuals or to the public and the board consents to the request.

17 b. Appoint and remove the commissioner of higher education, fix the  
18 commissioner's salary within the limits of legislative appropriations, and prescribe  
19 the commissioner's duties, provided that the consideration of the appointment or  
20 removal of the commissioner must take place in executive session, unless:

21 (1) The board chooses to open the meeting; or

22 (2) The individual involved requests that the meeting be open to other  
23 individuals or the public and the board consents to the request.

- 1           c. Appoint and remove all university system office personnel, fix their salaries within
- 2           the limits of legislative appropriations, fix their terms of office, and prescribe their
- 3           duties.

4           **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.