

HOUSE BILL NO. 1336

Introduced by

Representatives Schatz, Looyesen, Schreiber Beck

Senators Burckhard, Murphy, Unruh

1 A BILL for an Act to amend and reenact section 15.1-09-01 of the North Dakota Century Code,
2 relating to school board membership.

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

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

6 **15.1-09-01. School board membership - Size and term adjustments.**

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

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

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

19 a. (1) If the total number of board members after approval of an increase is five,
20 the terms of two members extend until the first annual election, the terms of
21 two members extend until the second annual election, and the term of the
22 remaining member extends until the third annual election.

23 (2) If the total number of board members after approval of the increase is
24 seven, the terms of three members extend until the first annual election, the

- 1 terms of two members extend until the second annual election, and the
2 terms of the remaining two members extend until the third annual election.
- 3 ~~b.~~ (3) If the total number of board members after approval of the increase is nine,
4 the terms of three members extend until the first annual election, the terms
5 of three members extend until the second annual election, and the terms of
6 the remaining three members extend until the third annual election.
- 7 ~~e.b.~~ The length of the additional terms specified provided for in this subsection must
8 be determined by lot, except that the length of any term in existence before an
9 increase in board membership may not be modified.
- 10 ~~d.~~ All board members shall serve for the terms specified in this subsection and until
11 their successors are elected and qualified.
- 12 ~~e.~~ The length of any term in existence before the increase in board membership and
13 held by a board member who is duly qualified may not be modified.
- 14 ~~f.~~ Terms subsequent to the first term are for the normal period of three years and
15 extend until a successor is elected and qualified.
- 16 ~~4.~~ If on July 1, 2005, the board of any school district contains only three members, the
17 board must be increased to five members and the additional members must be
18 elected at the next annual school district election, in the same manner as other board
19 members. The initial term of one additional member must be one year and the initial
20 term of the other additional member must be two years. The length of the terms
21 specified in this subsection must be determined by lot. Thereafter, the size of the
22 board may be increased in accordance with subsections 2 and 3.
- 23 ~~5.~~ c. If the qualified electors of a school district approve a reduction in the size of the
24 school board, the reduction must occur at the conclusion of existing terms.
- 25 3. All board members shall serve for the terms specified in this section and until their
26 successors are elected and qualified.
- 27 4. Terms subsequent to the first term are for the normal period of three years and extend
28 until a successor is elected and qualified.
- 29 5. The voters of a school district shall elect school board members at large. If, however,
30 the district has been reorganized, board members may be elected at:
- 31 a. At large, by:

1 b. By geographical area; or at

2 c. At large by geographical area.

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

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

9 ~~8.7.~~ If the board of a school district has elected to convert its members' terms to four years
10 under section 15.1-09-03 and has also increased if an increase in the number of its-
11 board members has been approved under this section, the board shall by lot ~~or by~~
12 ~~some other random selection method~~ shall provide for a combination of initial terms of
13 office not to exceed four years for the new members. The combination must equalize
14 to the greatest extent possible the number and length of terms for ~~old~~current board
15 members and for new members to be elected during the next three election years. The
16 members' terms must be staggered and must expire in even-numbered years.

17 ~~9.8.~~ Notwithstanding the provisions of this section, the board of education of the city of
18 Fargo consists of nine members.