

N.D.A.G. Letter to Brovold (July 10, 1985)

July 10, 1985

Mr. Jay V. Brovold
Billings County State's Attorney
P. O. Box 187
Medora, North Dakota 58645

Dear Mr. Brovold:

Thank you for your letter of July 1, 1985, inquiring as to the ability of a board of county commissioners to vote its members a salary increase.

North Dakota law, N.D.C.C. § 11-10-10(5), provides that each county commissioner may receive an annual salary or per diem as provided by resolution of the board subject to a maximum amount. The current maximum amount a commissioner may receive is \$7,500.00. 1985 N.D. Sess. Laws 154.

There are no special procedures that must be followed in increasing the salary of county commission members. All the statute requires is that such action be accomplished by resolution of the board. Furthermore, we are unaware of any constitutional or statutory prohibition against a current county commissioner having his salary increased during his current term of office.

Sincerely,

Nicholas J. Spaeth

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