

**CHAPTER 4-08
COUNTY AGENT**

4-08-01. Extension work - Petition - Submitting to vote.

Upon the filing with the county auditor of a petition containing the names of twenty percent of the qualified electors of the county as determined by the votes cast for governor in the county at the last preceding election, the board of county commissioners shall submit to the qualified electors at the next general election the question of providing a tax levy for extension work.

4-08-02. Form of petition.

The petition provided for in section 4-08-01 must be in substantially the following form:

PETITION PROVIDING FOR LEVY FOR EXTENSION WORK

We, the undersigned, qualified electors of _____ County, North Dakota, petition the board of county commissioners that it levy a tax sufficient but not to exceed two mills to employ an extension agent for the purpose of carrying on extension work in cooperation with the North Dakota state university extension service.

4-08-03. Form of ballot.

The question to be voted upon as provided in section 4-08-01 must be submitted on a separate ballot and must be worded as follows:

For extension work _____

Against extension work _____

4-08-04. Election held - Candidates presented to county commissioners - Funds available for extension work.

When a majority of the votes are cast for extension work, the North Dakota state university extension service on the first day of July following the election shall present a candidate or candidates for extension agent to the board of county commissioners for its selection and final approval. A sum of not less than two thousand dollars must be made available for this purpose from county funds, but in no case may such levy exceed two mills.

4-08-05. Petition for discontinuance of extension work - Form of petition - Election.

The question of the discontinuance of extension work may be submitted to the qualified electors in the manner provided in section 4-08-01. A separate ballot worded as is provided in section 4-08-03 must be used at the election. The petition for discontinuing the levy must be in the following form:

We, the undersigned qualified electors of _____ County, North Dakota, petition the board of county commissioners that it place on the ballot at the next general election the question of discontinuing extension work.

4-08-06. Filing date of petitions for election.

No board of county commissioners may place the question of extension work on a ballot without having received a notification from the county auditor that the petitions, as provided for in this chapter, have been filed at least sixty days before the date of election.

4-08-07. Discontinuance of extension agent - Distribution of funds accumulated.

If a majority of the votes cast at an election held under section 4-08-05 are against continuing the levy for extension work, the tax levy and the services of the extension agent must be discontinued on the thirty-first day of December following the date of election. If the majority of the votes cast are for the support of extension work, the county commissioners shall continue the tax levy as provided in this chapter. Upon the discontinuance of extension work, accumulated funds remaining in the treasury may be distributed to any other fund or funds deemed expedient by the board of county commissioners.

4-08-08. Expending funds.

All funds raised in accordance with the provisions of this chapter must be expended by and under the direction and control of the board of county commissioners in such manner as it may deem best adapted to accomplish the purposes set forth in this chapter.

4-08-09. Budgeting for extension agent.

When the board of county commissioners is authorized to make a levy for the employment of an extension agent, it shall provide a budget that stipulates the salary of the agent, field and office expenses, and allowance for clerical hire. After mutually agreeing upon a budget and after deducting the amount of funds contributed from federal and state funds, the board shall proceed to make a levy or appropriate funds out of the county general fund or both as it may deem necessary to cover the county's share of the budget. Until the office of extension agent is discontinued, the board shall agree upon a similar budget and annually shall make the levy and appropriation.

4-08-10. Extension agent to submit monthly account of expenditures - Position adjustments - Budget section report.

The extension agent shall submit monthly an accurate itemized account of all expenditures incurred by the agent in the regular conduct of duties to the North Dakota state university extension service for examination and audit. When charges are made by an extension agent for money expended in the performance of official duties, all items of one dollar or more expended and charged for must be covered by a subvoucher or receipt that must be signed by the person to whom the money was paid. The subvoucher or receipt must show at what place, on what date, and for what the money expended was paid. The extension agent shall forward the subvouchers or receipts with the bill, claim, account, or demand against the county. When charges are made for transportation expenses, they may not exceed the amounts provided by section 11-10-15, and must be in itemized form showing the mileage traveled, the days when and how traveled, and the purpose thereof, verified by affidavit. The account must be transmitted and recommended for payment by the North Dakota state university extension service which shall audit the same and which may approve or disallow any expense item therein. The state board of agricultural research and education and the president of North Dakota state university shall control and administer the North Dakota state university extension service subject to the supervision of the state board of higher education. Funds appropriated to the North Dakota state university extension service may not be commingled with funds appropriated to North Dakota state university. An appropriation request to defray expenses of the North Dakota state university extension service must be separate from an appropriation request to defray expenses of North Dakota state university. Subject to the availability of funds, the director of the North Dakota state university extension service may adjust or increase full-time equivalent positions in order to carry out activities to accomplish the mission of the extension service. All full- or part-time positions must be separate from North Dakota state university. Annually, the director of the North Dakota state university extension service shall report to the office of management and budget and to the budget section any adjustments or increases made pursuant to this section.

4-08-10.1. Achievement days - Premiums - Report of extension agent.

In July of each year the office of management and budget shall pay out of any moneys appropriated for boys' and girls' clubwork a sum not to exceed five hundred dollars to each extension agent of each organized county within the state conducting boys' and girls' achievement days, to be used exclusively for the payment of premiums at the boys' and girls' achievement days. Within thirty days following the boys' and girls' achievement days, the extension agent shall refund to the office of management and budget any balance not expended, which must be remitted to the state treasurer and placed to the credit of the general fund.

4-08-11. Report to county auditor.

An extension agent shall file with the county auditor either monthly, or within a mutually agreed upon timeframe not to exceed one year, a statement of the agent's work, which, in turn, must be presented by the auditor to the board of county commissioners.

4-08-12. Direction and supervision of extension agent.

The active direction and supervision of the work of the extension agent must be carried on by the North Dakota state university extension service. The board of county commissioners has general administrative authority and must be consulted frequently with reference to the general policy and the work of the agent. The suggestions and directions of the board must be followed when not in conflict with state and federal laws or regulations governing appropriations for extension work.

4-08-13. Vacancies - How to be filled.

In case a vacancy occurs in the position of extension agent, the procedure for the selection of a successor must be similar to that provided for in the selection of an agent when the work is instituted in the county.

4-08-14. Dissatisfaction with extension agent - Meeting to be arranged.

If the North Dakota state university extension service or the board of county commissioners becomes dissatisfied with an extension agent, a joint meeting must be arranged at which detailed information as to the misconduct, negligence, or inefficiency of the agent must be presented and such joint action taken as is justified by the evidence.

4-08-15. Extension work levy and funding - Additional levy with voter approval.

If a levy for extension work has been approved under sections 4-08-01 and 4-08-03, the board of county commissioners may levy for extension work in an amount not exceeding the limitation in subsection 2 of section 57-15-06.7.

The board of county commissioners may submit to the electors at a primary or general election the question of approval of voter-approved levy authority for extension work for a period not exceeding ten years and if approved by a majority of the electors voting on the question the board of county commissioners may levy an additional tax not exceeding the limitation in subsection 2 of section 57-15-06.7. Voter-approved levy authority authorized by electors of a county before January 1, 2015, remains in effect through taxable year 2024 or for the time period authorized by the electors, whichever expires first. After January 1, 2015, approval or reauthorization by electors of voter-approved levy authority under this section may not be effective for more than ten taxable years.

The board of county commissioners may appropriate additional funds out of the county general fund to cover any unanticipated deficiency in funding for extension work.

4-08-15.1. Extension work - Additional tax levy.

Repealed by S.L. 2015, ch. 439, § 104.