

Fifty-fifth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2048

Introduced by

Legislative Council

(North Dakota/South Dakota Commission)

1 A BILL for an Act to amend and reenact section 54-40-01 of the North Dakota Century Code,
2 relating to the exercise of joint authority by North Dakota and South Dakota.

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

4 **SECTION 1. AMENDMENT.** Section 54-40-01 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **54-40-01. Agreement - Exercise of joint powers - Bonds.**

- 7 1. Two or more governmental units or municipal corporations having in common any
8 portion of their territory or boundary, by agreement entered into through action of
9 their governing bodies, may jointly or cooperatively exercise their respective
10 separate powers, or any power common to the contracting parties or any similar
11 powers, including those which are the same except for the territorial limits within
12 which they may be exercised for the purpose of acquiring, constructing, and
13 maintaining any building for their joint use. The term "governmental unit" as used
14 in this section includes and means every city, county, town, park district, school
15 district, states and United States governments and departments of each thereof,
16 and all other political subdivisions even though not specifically named or referred to
17 herein.
- 18 2. Two or more counties or cities, or any combination of counties or cities, whether or
19 not they have in common any portion of their territory or boundary, by agreement
20 entered into through action of their governing bodies, may jointly or cooperatively
21 exercise their respective separate powers, or any power common to the
22 contracting parties or any similar powers, for the purpose of acquiring equipment or
23 constructing roads, bridges, and road and bridge improvements.

- 1 3. An agency, department, or institution of this state may enter an agreement with the
2 state of South Dakota to form a bistate authority to jointly exercise any function that
3 the entity is authorized by law to perform. Any agreement entered under this
4 subsection must be submitted to the legislative assembly for approval or rejection
5 at the next regular or special session after the agreement is entered and may not
6 become effective until approved by the legislative assembly.
- 7 4. Counties or cities, or any combination of counties or cities, may jointly issue bonds
8 in the same manner and for the purposes provided for in chapter 21-03.