

Fifty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1240

Introduced by

Representative Maragos

Senator Watne

1 A BILL for an Act to amend and reenact sections 40-49-21 and 40-49-22 and subsection 1 of
2 section 57-15-12.2 of the North Dakota Century Code, relating to park district pension plans.

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

4 **SECTION 1. AMENDMENT.** Section 40-49-21 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **40-49-21. Park districts may provide for employees' pensions.** ~~The A~~ board of
7 park commissioners ~~of a park district in any city which has adopted an employees' pension~~
8 ~~system pursuant to the provisions of chapter 40-46, may, with the consent of the governing~~
9 ~~body of such city and the consent of not less than a majority of the city employees covered by~~
10 ~~the provisions of such chapter, provide for employees' pensions pursuant to such chapter~~
11 ~~40-46, and payments an authorized city pension plan with the consent of the city governing~~
12 ~~body and the consent of not less than a majority of the city employees covered by the city~~
13 ~~pension plan. In addition, a board of park commissioners may provide for employer pensions~~
14 ~~pursuant to chapter 54-52, or under a program approved by the internal revenue service.~~
15 Payments made by employees or taxes levied by such the park district shall must be paid into
16 the employees' pension fund of such city, and the benefits provided for the employees of such
17 park district shall be the same as provided for employees of such city. If a board of park
18 commissioners wishes to leave an existing city pension plan, the board, upon the request of the
19 pension fund governing body, shall fund an actuarial study of the financial impacts to the
20 pension fund. Any losses or costs to the fund by the park district leaving the pension plan are
21 the responsibility of the park district. A park district may not leave the city's pension plan
22 without the approval of the pension fund governing body.

23 **SECTION 2. AMENDMENT.** Section 40-49-22 of the North Dakota Century Code is
24 amended and reenacted as follows:

1 **40-49-22. Tax levy for park district employees' pension fund.** ~~Any~~ A park district
2 adopting the provisions of section 40-49-21 may levy a tax not exceeding the limitation in
3 subsection 1 of section 57-15-12.2. The proceeds of the tax levy ~~shall~~ must be placed in the
4 employees' pension fund ~~of the city~~.

5 **SECTION 3. AMENDMENT.** Subsection 1 of section 57-15-12.2 of the North Dakota
6 Century Code is amended and reenacted as follows:

- 7 1. A park district levying a tax for ~~employees~~ an employees' pension fund according
8 to sections 40-49-21 and 40-49-22 may levy a tax not exceeding the ~~ratio which~~
9 ~~the total amounts paid to the employees of the city per annum bears to the total~~
10 ~~amount of taxes levied by the city for such employees~~ amount necessary for the
11 district's annual contribution to the employees' pension fund.