

**Fifty-fifth Legislative Assembly, State of North Dakota, begun in the
Capitol in the City of Bismarck, on Monday, the sixth day of January,
one thousand nine hundred and ninety-seven**

HOUSE BILL NO. 1240
(Representative Maragos)
(Senator Watne)

AN ACT to amend and reenact sections 40-49-21, 40-49-22, and subsection 1 of section 57-15-12.2 of the North Dakota Century Code, relating to park district pension plans.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

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

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

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

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

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

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-fifth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1240.

House Vote: Yeas 90 Nays 5 Absent 2

Senate Vote: Yeas 44 Nays 0 Absent 5

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 1997.

Approved at _____ M. on _____, 1997.

Governor

Filed in this office this _____ day of _____, 1997,
at _____ o'clock _____ M.

Secretary of State