

Fifty-eighth  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2280**

Introduced by

Senators Fischer, Every, Heitkamp, Urlacher

Representatives Hanson, Hawken

1 A BILL for an Act to amend and reenact section 61-16.1-40.1 of the North Dakota Century  
2 Code, relating to the assessment for federally constructed flood control projects.

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

4 **SECTION 1. AMENDMENT.** Section 61-16.1-40.1 of the North Dakota Century Code  
5 is amended and reenacted as follows:

6 **61-16.1-40.1. Maintenance of federally constructed projects - Assessment district**  
7 **established.** If a water resource board enters or has been assigned rights in a contract with a  
8 federal agency for construction of a flood control project or soil conservation service project,  
9 and the terms of the contract require the water resource board to provide for maintenance of  
10 the project after construction, the water resource board may finance in whole or in part the  
11 maintenance of the project with funds raised through the collection of a special assessment  
12 levied against the land and premises benefited by maintenance of the project. The  
13 assessments to be levied may not exceed one dollar and fifty cents per acre [.40 hectare]  
14 annually on agricultural lands and may not exceed one dollar and fifty cents annually for each  
15 five hundred dollars of taxable valuation of nonagricultural property. No action is required for  
16 the establishment of the assessment district or the assessments except the water resource  
17 board must approve the maintenance and assessment therefor by a vote of two-thirds of the  
18 members and the board of county commissioners of the county must approve and levy the  
19 assessments to be made by a vote of two-thirds of its members.