

Fifty-eighth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2278

Introduced by

Senators Fischer, Heitkamp, Urlacher

Representatives Hanson, Koppelman, Nelson

1 A BILL for an Act to amend and reenact section 61-16.1-09.1 of the North Dakota Century
2 Code, relating to maintenance of natural watercourses and debrisment of bridges and low
3 water crossings.

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

5 **SECTION 1. AMENDMENT.** Section 61-16.1-09.1 of the North Dakota Century Code
6 is amended and reenacted as follows:

7 **61-16.1-09.1. Watercourses, bridges, and low water crossings.**

8 1. A water resource board may undertake the snagging, clearing, and maintaining of
9 natural watercourses and the debrisment of bridges and low water crossings. The
10 board may finance the project in whole or in part with funds raised through the
11 collection of a special assessment levied against the land and premises ~~within the~~
12 ~~watershed~~ benefited by the project. All provisions of this chapter apply to
13 assessments levied under this section except:

- 14 ~~1-~~ a. An assessment may not exceed fifty cents per acre [.40 hectare] annually on
15 agricultural lands and may not exceed fifty cents annually for each five
16 hundred dollars of taxable valuation of nonagricultural property; and
17 ~~2-~~ b. If the assessment is for a project costing less than one hundred thousand
18 dollars, no action is required for the establishment of the assessment district
19 or the assessments except the board must approve the project and
20 assessment by a vote of two-thirds of the members and the board of county
21 commissioners of the county must approve and levy the assessments to be
22 made by a vote of two-thirds of its members.

- 1 c. All revenue from an assessment under this section must be exhausted before
2 a subsequent assessment covering any portion of lands subject to a prior
3 assessment may be levied.
- 4 2. Before an assessment may be levied under this section, a public hearing must be
5 held attended by a quorum of the board and a quorum of the board of county
6 commissioners. The hearing must be preceded by notice as to date, time,
7 location, and subject matter published in the official newspaper in the county or
8 counties in which the proposed assessment is to be levied. The notice must be
9 published at least ten days but not more than thirty days before the public hearing.