

HOUSE BILL NO. 1024

Introduced by

Legislative Council

(Advisory Commission on Intergovernmental Relations)

1 A BILL for an Act to create and enact a new section to chapter 57-15 of the North Dakota
2 Century Code, relating to optional consolidation of county mill levies.

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

4 **SECTION 1.** A new section to chapter 57-15 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Optional consolidation of county mill levies.**

- 7 1. In lieu of determining its general fund levy limitation under section 57-15-01.1 or
8 57-15-06, a county may determine its general fund levy authority as provided in
9 this section. A county may consolidate the levies provided for under sections
10 4-02-26, 4-02-27, 4-02-27.1, 4-02-27.2, 4-02-37, 4-08-15, 4-08-15.1, 4-16-02,
11 4-33-11, 11-11-24, 11-11-53, 11-11-60, 11-11-65, 11-11.1-06, 11-28-06, 18-07-01,
12 24-05-01, 32-12.1-08, 40-38-02, 40-57.2-04, 49-17.2-21, 52-09-08, 57-15-06.4,
13 57-15-06.5, 57-15-06.6, 57-15-06.9, 57-15-10.1, 57-15-27.2, 57-15-54, 57-15-59,
14 57-47-04, 61-04.1-26, and 63-01.1-06 with its general fund levy under section
15 15-15-06 to provide for a county general fund levy which may not exceed one
16 hundred thirty-four mills on the dollar of taxable valuation of the county. A county
17 that elects to determine its general fund levy authority under this section may not
18 impose separate levies under the sections listed in this subsection.
- 19 2. The consolidation of mill levies under subsection 1 may be accomplished by
20 resolution of the board of county commissioners, subject to the right of referendum
21 by the county electors. The board of county commissioners may by majority vote
22 adopt a preliminary resolution providing for the consolidated levy. The board shall
23 publish the preliminary resolution in the official newspaper of the county, at least
24 once during two different weeks within the thirty-day period immediately following

1 the adoption of the preliminary resolution. The board of county commissioners
2 shall hold at least one public hearing and receive comments regarding the
3 consolidation of mill levies. The preliminary resolution may be referred to the
4 qualified electors of the county by a petition protesting the consolidation. The
5 petition must be signed by ten percent or more of the total number of qualified
6 electors of the county voting for governor at the most recent gubernatorial election,
7 and filed with the county auditor before four p.m. on the ninetieth day after the
8 preliminary resolution is adopted. If the petition contains the signatures of a
9 sufficient number of qualified electors, the board of county commissioners shall
10 rescind the preliminary resolution or submit the resolution to a vote of the qualified
11 electors of the county at the next regular election or at a special election called by
12 the board of county commissioners to address the question. If a majority of the
13 qualified electors voting on the question approve the resolution, the consolidation is
14 effective for the next tax year. If a petition protesting the consolidation is not
15 submitted within ninety days, the board of county commissioners shall consider the
16 comments received regarding the consolidation and either adopt a final resolution
17 implementing the consolidation or rescind the preliminary resolution. The
18 consolidation of mill levies may be reversed by resolution of the board of county
19 commissioners following the same procedure provided for implementation of the
20 consolidation or by a majority vote of the qualified electors of the county voting on
21 the question pursuant to submission of a petition to reverse the consolidation
22 signed by ten percent or more of the total number of qualified electors of the county
23 voting for governor at the most recent gubernatorial election.