

Fifty-ninth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1025

Introduced by

Legislative Council

(Advisory Commission on Intergovernmental Relations)

1 A BILL for an Act to amend and reenact section 57-15-06.10 of the North Dakota Century Code,
2 relating to consolidation of county mill levies; and to provide an effective date.

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

4 **SECTION 1. AMENDMENT.** Section 57-15-06.10 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **57-15-06.10. 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, ~~41-11-1-06, 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 57-15-60, and 57-47-04, ~~61-04.1-26, and 63-01.1-06~~ with its general fund levy
15 under section 57-15-06 to provide for a county general fund levy which may not
16 exceed one hundred ~~thirty-four~~ eighteen mills on the dollar of taxable valuation of
17 the county. A county that elects to determine its general fund levy authority under
18 this section may not impose separate levies under the sections listed in this
19 subsection ~~and may not increase the number of mills levied in any one year over~~
20 ~~the number levied in the previous year by more than the increase in the consumer~~
21 ~~price index for all urban consumers, all items, United States city average, as~~
22 ~~completed by the United States department of labor, bureau of labor statistics.~~
23 2. The consolidation of mill levies under subsection 1 may be accomplished by
24 resolution of the board of county commissioners, subject to the right of referendum

by the county electors. The board of county commissioners may by majority vote adopt a preliminary resolution providing for the consolidated levy. The board shall publish the preliminary resolution in the official newspaper of the county, at least once during two different weeks within the thirty-day period immediately following the adoption of the preliminary resolution. The board of county commissioners shall hold at least one public hearing and receive comments regarding the consolidation of mill levies. The preliminary resolution may be referred to the qualified electors of the county by a petition protesting the consolidation. The petition must be signed by ten percent or more of the total number of qualified electors of the county voting for governor at the most recent gubernatorial election, and filed with the county auditor before four p.m. on the ninetieth day after the preliminary resolution is adopted. If the petition contains the signatures of a sufficient number of qualified electors, the board of county commissioners shall rescind the preliminary resolution or submit the resolution to a vote of the qualified electors of the county at the next regular election or at a special election called by the board of county commissioners to address the question. If a majority of the qualified electors voting on the question approve the resolution, the consolidation becomes effective for the next tax year and subsequent tax years. If a petition protesting the consolidation is not submitted within ninety days, the board of county commissioners shall consider the comments received regarding the consolidation and either adopt a final resolution implementing the consolidation or rescind the preliminary resolution. The consolidation of mill levies may be reversed by resolution of the board of county commissioners following the same procedure provided for implementation of the consolidation or by a majority vote of the qualified electors of the county voting on the question pursuant to submission of a petition to reverse the consolidation signed by ten percent or more of the total number of qualified electors of the county voting for governor at the most recent gubernatorial election.

3. A contractual obligation entered by a county with respect to a dedicated mill levy may not be impaired as a result of consolidation of levies under this section.

1 **SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable years beginning after
2 December 31, 2004.