

Sixty-sixth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2041

Introduced by

Legislative Management

(Taxation Committee)

A BILL for an Act to create and enact a new subsection to section 21-03-07 of the North Dakota Century Code, relating to the issuance of bonds by the governing body of a park district without voter approval; and to ~~repeal subsection 6 of section 21-03-06 of the North Dakota Century Code, relating to the issuance of bonds by the governing body of a park district~~ amend and reenact subsection 4 of section 40-49-12 of the North Dakota Century Code, relating to special assessments imposed by a park district.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new subsection to section 21-03-07 of the North Dakota Century Code is created and enacted as follows:

The governing body of any park district that constitutes a distinct municipality may issue general obligation bonds of the park district for the purpose of providing funds to
acquire, lay out, and improve~~for maintenance of~~ parks, parkways, boulevards, and
pleasure drives, and to acquire land for these purposes, but the indebtedness may not
at any time exceed one percent of the assessed valuation of the taxable property in
the park district. The initial resolution authorizing the issuance of general obligation
bonds under this subsection must be published in the official newspaper of the park
district, and any owner of taxable property within the park district may, within sixty
days after publication, file with the clerk of the park district a protest against the
adoption of the resolution. Protests must be in writing and must describe the property
that is the subject of the protest. If the governing body finds the protests have been
signed by the owners of taxable property having an assessed valuation equal to five
percent or more of the assessed valuation of all taxable property within the park
district, as last finally equalized, all further proceedings under the initial resolution are
barred. For purposes of this subsection, "maintenance" means improvements to

1 property which maintain the useful life of the property, the restoration of property to its
2 previous condition, or incidental repairs or improvements to property.

3 **SECTION 2. AMENDMENT.** Subsection 4 of section 40-49-12 of the North Dakota Century
4 Code is amended and reenacted as follows:

- 5 4. Levy special assessments on all property especially benefited by the purchase,
6 opening, establishment, and improvement of such parks or boulevards and of ways or
7 streets about the same. For purposes of this section, an especially benefited property
8 is a property that will receive a benefit from the improvement that is to be paid by
9 special assessment which is different from the general benefit that will be conferred on
10 properties located outside of the special assessment improvement district.

11 ~~**SECTION 2. REPEAL.** Subsection 6 of section 21-03-06 of the North Dakota Century Code~~
12 ~~is repealed.~~