

Fifty-sixth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Tuesday, the fifth day of January, one thousand nine hundred and ninety-nine

SENATE BILL NO. 2079
(Education Committee)

(At the request of the State Board of Public School Education)

AN ACT to amend and reenact subsection 6 of section 15-27.2-04 of the North Dakota Century Code, or in the alternative to amend and reenact subsection 11 of section 15.1-12-05 of the North Dakota Century Code, relating to state board of public school education annexation appeals.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. If House Bill No. 1034 does not become effective, subsection 6 of section 15-27.2-04 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

6. If the school districts involved in the proposed annexation are situated in more than one county, the county committee of the county encompassing the major portion of each school district shall ~~consider and jointly effect the annexation if a majority of the members of each of such county committees approves~~ hear the annexation and the county committees shall vote separately on whether to approve or deny the annexation. If the annexation is approved by a majority of the members of one or both of the two county committees, or if the annexation is denied by both county committees and the petitioners express an intention to appeal the matter to the state board, the county superintendent of the county in which the annexing district is located shall submit the annexation to the state board for approval or disapproval, ~~and in such instance approval of the annexation shall have the same effect as approval by all county committees~~ denial.

SECTION 2. AMENDMENT. Subsection 11 of section 15.1-12-05 of the North Dakota Century Code as created by House Bill No. 1034, as approved by the fifty-sixth legislative assembly, is amended and reenacted as follows:

11.
 - a. ~~If an annexation petition is considered by a single county committee, the decision of the county committee may be appealed to the state board.~~
 - b. ~~If an annexation petition is considered by more than one county committee and at least one county committee approves the annexation, the decision may be appealed to the state board.~~
 - e. ~~If an annexation petition is considered by more than one county committee and denied by each~~ Regardless of how many county committee committees consider the annexation, the decision may ~~not~~ be appealed to the state board.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-sixth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2079.

Senate Vote: Yeas 48 Nays 0 Absent 1

House Vote: Yeas 96 Nays 0 Absent 2

Secretary of the Senate

Received by the Governor at _____ M. on _____, 1999.

Approved at _____ M. on _____, 1999.

Governor

Filed in this office this _____ day of _____, 1999,
at _____ o'clock _____ M.

Secretary of State