

Fifty-eighth
Legislative Assembly
of North Dakota

ENGROSSED 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 57-15-06 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 and may not
19 increase the number of mills levied in any one year over the number levied in the
20 previous year by more than the increase in the consumer price index for all urban
21 consumers, all items, United States city average, as completed by the United
22 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

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

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