

Introduced by

1 A BILL for an Act to amend and reenact section 54-40-01 of the North Dakota Century Code,  
2 relating to the removal of authorization for a bistate authority with the state of South Dakota.

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

4 **SECTION 1. AMENDMENT.** Section 54-40-01 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **54-40-01. Agreement - Exercise of joint powers - Bonds.**

- 7 1. Two or more governmental units or municipal corporations having in common any  
8 portion of their territory or boundary, by agreement entered into through action of their  
9 governing bodies, may jointly or cooperatively exercise their respective separate  
10 powers, or any power common to the contracting parties or any similar powers,  
11 including those which are the same except for the territorial limits within which they  
12 may be exercised for the purpose of acquiring, constructing, and maintaining any  
13 building for their joint use. The term "governmental unit" as used in this section  
14 includes every city, county, park district, school district, states and United States  
15 governments and departments of each thereof, and all other political subdivisions  
16 even though not specifically named or referred to herein.
- 17 2. Two or more counties or cities, or any combination of counties or cities, whether or not  
18 they have in common any portion of their territory or boundary, by agreement entered  
19 into through action of their governing bodies, may jointly or cooperatively exercise their  
20 respective separate powers, or any power common to the contracting parties or any  
21 similar powers, for the purpose of acquiring equipment or constructing roads, bridges,  
22 and road and bridge improvements.
- 23 3. ~~An agency, department, or institution of this state may enter an agreement with the~~  
24 ~~state of South Dakota to form a bistate authority to jointly exercise any function that~~

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Legislative Assembly

- 1           ~~the entity is authorized by law to perform. Any agreement entered under this~~  
2           ~~subsection must be submitted to the legislative assembly or, if the legislative assembly~~  
3           ~~is not in session, to the legislative management for approval or rejection and may not~~  
4           ~~become effective until approved by the legislative assembly or the legislative~~  
5           ~~management.~~  
6           4. Counties or cities, or any combination of counties or cities, may jointly issue bonds in  
7           the same manner and for the purposes provided for in chapter 21-03.