

**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. 2358
(Senators Wardner, Kinnoin, Urlacher)
(Representatives DeKrey, Froelich, Nicholas)

AN ACT to create and enact a new section to chapter 57-15 and a new subsection to section 57-15-06.7 of the North Dakota Century Code, relating to creating county levy authority for automation and telecommunications, within the levy authority for old-age and survivors' insurance; and to amend and reenact subsection 3 of section 52-09-08 and subsection 5 of section 57-15-28.1 of the North Dakota Century Code, relating to the levy limitation for old-age and survivors' insurance.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 3 of section 52-09-08 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

3. The political subdivision, except a school district, a multidistrict special education board, or a center board of an area vocational and technology center, shall levy a tax sufficient to meet its obligations under this chapter, up to a maximum levy not exceeding the limitation in section 57-15-28.1 or, for counties, the limitation in section 3 of this Act. Within the levy limitations set out in subsection 6 of section 57-15-28.1, the governing body of a county may levy a tax for comprehensive health care insurance employee benefit programs duly established by the governing body. Any obligations under this chapter over and above the amount raised by the maximum levy permitted in this section must be paid out of the general fund of the political subdivision. All payments by a school district for obligations incurred under this chapter must be made out of the school district's general fund established pursuant to section 57-15-14.2.

SECTION 2. A new section to chapter 57-15 of the North Dakota Century Code is created and enacted as follows:

Levy authorized for county automation and telecommunications. The county commissioners may levy an annual tax not exceeding the limitation in section 3 of this Act to provide a fund for the planning, design, acquisition, development, operation, maintenance, and support of automation and telecommunications resources.

SECTION 3. A new subsection to section 57-15-06.7 of the North Dakota Century Code is created and enacted as follows:

A county levying a tax for old-age and survivors' insurance according to section 52-09-08, for social security, for an employee retirement program established by the governing body, for county automation and telecommunications under section 2 of this Act, or for any combination of those purposes, may levy a tax not exceeding thirty mills. The portion of the levy under this subsection for county automation and telecommunications under section 2 of this Act may not exceed five mills.

SECTION 4. AMENDMENT. Subsection 5 of section 57-15-28.1 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

5. A political subdivision, except a school district or county, levying a tax for old-age and survivors' insurance according to section 52-09-08, for social security, or for an employee retirement program established by the governing body, or for any combination of those purposes, may levy a tax not exceeding thirty mills.

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. 2358.

Senate Vote: Yeas 31 Nays 16 Absent 2

House Vote: Yeas 92 Nays 5 Absent 1

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