

Fifty-ninth
Legislative Assembly
of North Dakota

HOUSE BILL NO.

Introduced by

Representative Anderson

1 A BILL for an Act to amend and reenact section 57-15-17.1 of the North Dakota Century Code,
2 relating to mercury and other hazardous substance abatement or removal.

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

4 **SECTION 1. AMENDMENT.** Section 57-15-17.1 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **57-15-17.1. School board levies - Multiyear ~~asbestos abatement~~ ~~Lead paint~~**
7 **mercury and hazardous substance abatement or removal - Required remodeling -**
8 **Alternative education programs.**

9 1. The governing body of any public school district may by resolution adopted by a
10 two-thirds vote of the school board dedicate a tax levy for purposes of this section
11 of not exceeding fifteen mills on the dollar of taxable valuation of property within
12 the district for a period not longer than fifteen years. The school board may
13 authorize and issue general obligation bonds to be paid from the proceeds of this
14 dedicated levy for the purpose of:

15 a. Providing funds for the abatement or removal of ~~asbestos or lead paint~~
16 mercury and other hazardous substances from school buildings ~~or the~~
17 ~~abatement of asbestos or lead paint substances in school buildings under any~~
18 ~~other~~ in accordance with any method approved by the United States
19 environmental protection agency and for any repair, replacement, or
20 remodeling that results from the removal or abatement of ~~asbestos~~ such
21 substances;

22 b. Any remodeling required to meet specifications set by the Americans with
23 Disabilities Act accessibility guidelines for buildings and facilities as contained
24 in the appendix to 28 CFR 36;

- 1 c. Any remodeling required to meet requirements set by the state fire marshal
2 during the inspection of a public school; and
- 3 d. Providing alternative education programs.
- 4 2. All revenue accruing from the levy under this section, except revenue deposited as
5 allowed by subsections 3 and 4, must be placed in a separate fund known as the
6 ~~asbestos and lead paint abatement~~ mercury and hazardous substance abatement
7 or removal fund and must be accounted for within the capital projects fund group
8 and disbursements must be made from such funds within this fund group for the
9 purpose of ~~asbestos or lead paint abatement~~ mercury and hazardous substance
10 abatement or removal.
- 11 3. All revenue accruing from up to five mills of the fifteen mill levy under this section
12 must be placed in a separate fund known as the required remodeling fund and
13 must be accounted for within the capital projects fund group and disbursements
14 must be made from such funds within this fund group for the purpose of required
15 remodeling, as set forth in subsection 1.
- 16 4. All revenue accruing from up to ten mills of the fifteen-mill levy under this section
17 may be placed in a separate fund known as the alternative education program
18 fund. Disbursement may be made from the fund for the purpose of providing an
19 alternative education program but may not be used to construct or remodel
20 facilities used to accommodate an alternative education program.
- 21 5. Any moneys remaining in the ~~asbestos and lead paint abatement~~ mercury and
22 hazardous substance abatement or removal fund after completion of the principal
23 and interest payments for any bonds issued for any school ~~asbestos or lead paint~~
24 ~~abatement~~ mercury and hazardous substance removal project, any funds
25 remaining in the required remodeling fund after completion of the remodeling
26 projects, and any funds remaining in the alternative education program fund at the
27 termination of the program must be transferred to the general fund of the school
28 district upon the order of the school board.