

GOVERNMENTAL FINANCE

CHAPTER 203

HOUSE BILL NO. 1067

(Representative Klemin)

AN ACT to amend and reenact sections 21-02-11 and 21-03-25 of the North Dakota Century Code, relating to municipal bid requirements and certificates of indebtedness.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 21-02-11 of the North Dakota Century Code is amended and reenacted as follows:

21-02-11. Advertising for bids - When required - Procedure similar to bond sales.

If the governing board of a political subdivision determines to borrow upon certificates of indebtedness, ~~it~~ the governing board shall follow the procedure and is subject to the penalties prescribed in the provisions relating to the sale of bonds in chapter 21-03. ~~Certificates of indebtedness need not be advertised for bids:~~

- ~~1. If they are sold to the state board of university and school lands, the Bank of North Dakota, the public finance authority, or in case other trust funds administered by public officials are invested in them; or~~
- ~~2. If they do not exceed the total sum of one hundred thousand dollars.~~

SECTION 2. AMENDMENT. Section 21-03-25 of the North Dakota Century Code is amended and reenacted as follows:

21-03-25. Bonds - Advertised for bids - Exception.

~~No~~ A municipality may not sell or enter into any contract for the sale of any issue of its bonds authorized by this chapter in an amount exceeding one hundred ~~thousand~~ million dollars, for whatever purpose issued, without first advertising for bids in the manner prescribed by section 21-03-26, except as provided in section 21-03-30, and except that bonds issued under the authorization of subdivision g of subsection 2 of section 21-03-06 with the consent of the warrant holders, may be exchanged for matured warrants or matured interest coupons of warrants of the special improvement fund having the deficiency on account of which such bonds are being issued, without such advertising. The par value and accrued interest of the bonds so delivered may not exceed the par value and accrued interest of the warrants and interest coupons, and accrued interest thereon, for which they are exchanged.

Approved April 23, 2019

Filed April 24, 2019

CHAPTER 204

SENATE BILL NO. 2041

(Legislative Management)
(Taxation Committee)

AN ACT to create and enact a new subsection to section 21-03-07 of the North Dakota Century Code, relating to the issuance of bonds by the governing body of a park district without voter approval.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new subsection to section 21-03-07 of the North Dakota Century Code is created and enacted as follows:

The governing body of any park district that constitutes a distinct municipality may issue general obligation bonds of the park district for the purpose of providing funds to acquire, lay out, and improve parks, parkways, boulevards, and pleasure drives, and to acquire land for these purposes, but the indebtedness may not at any time exceed one percent of the assessed valuation of the taxable property in the park district. The initial resolution authorizing the issuance of general obligation bonds under this subsection must be published in the official newspaper of the park district, and any owner of taxable property within the park district may, within sixty days after publication, file with the clerk of the park district a protest against the adoption of the resolution. Protests must be in writing and must describe the property that is the subject of the protest. If the governing body finds the protests have been signed by the owners of taxable property having an assessed valuation equal to five percent or more of the assessed valuation of all taxable property within the park district, as last finally equalized, all further proceedings under the initial resolution are barred.

Approved April 15, 2019

Filed April 15, 2019

CHAPTER 205

HOUSE BILL NO. 1368

(Representatives Kempenich, Brandenburg, Kreidt, Pollert)
(Senators Dotzenrod, Klein, Wardner)

AN ACT to amend and reenact sections 21-10-01 and 21-10-11 of the North Dakota Century Code, relating to membership of the state investment board.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 21-10-01 of the North Dakota Century Code is amended and reenacted as follows:

21-10-01. State investment board - Membership - Term - Compensation - Advisory council.

1. The North Dakota state investment board consists of ~~the~~:
 - a. ~~The~~ governor, the;
 - b. ~~The~~ state treasurer, the;
 - c. ~~The~~ commissioner of university and school lands, the;
 - d. ~~The~~ director of workforce safety and insurance, the;
 - e. ~~The~~ insurance commissioner, three;
 - f. ~~Three~~ members of the teachers' fund for retirement board or the board's designees who need not be members of the fund as selected by that board, two;
 - g. ~~Two~~ of the elected members of the public employees retirement system board as selected by that board, and one;
 - h. ~~One~~ member of the public employees retirement system board as selected by that board; and
 - i. One member of the legacy and budget stabilization fund advisory board, as selected by that board, to serve as a nonvoting member.
2. The director of workforce safety and insurance may appoint a designee, subject to approval by the workforce safety and insurance board of directors, to attend the meetings, participate, and vote when the director is unable to attend. The teachers' fund for retirement board may appoint an alternate designee with full voting privileges to attend meetings of the state investment board when a selected member is unable to attend. The public employees retirement system board may appoint an alternate designee with full voting privileges from the public employees retirement system board to attend meetings of the state investment board when a selected member is unable to attend.

3. The members of the state investment board, except elected and appointed officials and the director of workforce safety and insurance or the director's designee, are entitled to receive as compensation one hundred forty-eight dollars per day and necessary mileage and travel expenses as provided in sections 44-08-04 and 54-06-09 for attending meetings of the state investment board.
- 2-4. The state investment board may establish an advisory council composed of individuals who are experienced and knowledgeable in the field of investments. The state investment board shall determine the responsibilities of the advisory council. Members of the advisory council are entitled to receive the same compensation as provided the members of the advisory board of the Bank of North Dakota and necessary mileage and travel expenses as provided in sections 44-08-04 and 54-06-09.

SECTION 2. AMENDMENT. Section 21-10-11 of the North Dakota Century Code is amended and reenacted as follows:

21-10-11. Legacy and budget stabilization fund advisory board.

1. The legacy and budget stabilization fund advisory board is created to develop recommendations for the investment of funds in the legacy fund and the budget stabilization fund to present to the state investment board.
2. The goal of investment for the legacy fund is principal preservation while maximizing total return.
3. The board consists of two members of the senate appointed by the senate majority leader, two members of the house of representatives appointed by the house majority leader, the director of the office of management and budget or designee, the president of the Bank of North Dakota or designee, and the tax commissioner or designee. The board shall select a chairman and must meet at the call of the chairman.
4. The board shall report at least semiannually to the budget section.
5. Legislative members are entitled to receive compensation and expense reimbursement as provided under section 54-03-20 and reimbursement for mileage as provided by law for state officers. The legislative council shall pay the compensation and expense reimbursement for the legislative members.
6. The legislative council shall provide staff services to the legacy and budget stabilization fund advisory board.
7. The staff and consultants of the state retirement and investment office shall advise the board in developing asset allocation and investment policies.
8. The board shall develop a process to select a member of the board to serve on the state investment board in a nonvoting capacity.

Approved April 23, 2019

Filed April 24, 2019