

SENATE BILL NO. 2144

Introduced by

Senators Weber, Erbele, Wanzek, Wobbema

Representatives Pyle, Schreiber-Beck

1 A BILL for an Act to create and enact a new subdivision to subsection 1 of section 57-15-14 and
2 a new section to chapter 21-03 of the North Dakota Century Code, relating to ballots in school
3 district bond elections; and to amend and reenact subsection 4 of section 21-03-06, sections
4 21-03-09 and 21-03-10.1, and subsection 2 of section 57-15-16 of the North Dakota Century
5 Code, relating to future maintenance and repair expenditures for school districts.

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

7 **SECTION 1. AMENDMENT.** Subsection 4 of section 21-03-06 of the North Dakota Century
8 Code is amended and reenacted as follows:

9 4. By any public school district, or the school district of the city of Fargo, to purchase,
10 erect, enlarge, repair, maintain, and improve school buildings and teacherages, to
11 acquire sites therefor and for playgrounds, to furnish and equip the same with heat,
12 light, and ventilation or other necessary apparatus, to pay advance rentals to the state
13 school construction fund, and also to purchase schoolbus equipment which must meet
14 the standards set up by the state superintendent of public instruction and the director
15 of the department of transportation.

16 **SECTION 2. AMENDMENT.** Section 21-03-09 of the North Dakota Century Code is
17 amended and reenacted as follows:

18 **21-03-09. Initial resolution - Form.**

19 Proceedings for the issuance of bonds under the authority of this chapter must be instituted
20 by the adoption of an initial resolution therefor. ~~Such~~The initial resolution must state:

21 1. The maximum amount of bonds proposed to be issued.
22 2. The purpose for which ~~they~~the bonds are proposed to be issued.
23 3. The assessed valuation of all taxable property in the municipality as defined in section
24 21-03-01.

- 1 4. The total amount of bonded indebtedness of the municipality.
- 2 5. The amount of outstanding bonds of the municipality issued for a similar purpose.
- 3 6. Any other statement of fact deemed advisable by the governing body or voters
- 4 proposing the same.
- 5 7. For bonds issued pursuant to subsection 4 of section 21-03-06, the total funds
- 6 allocated for future repair and maintenance and the total dollar amount expended by
- 7 the municipality from general obligation bond proceeds for repairs and maintenance
- 8 during the previous fifteen years.

9 **SECTION 3. AMENDMENT.** Section 21-03-10.1 of the North Dakota Century Code is
10 amended and reenacted as follows:

11 **21-03-10.1. School districts - Use of bond funds.**

- 12 1. The initial resolution or petition providing for the issuance of bonds, whether adopted
- 13 by a majority vote of the school board of a school district or proposed by the qualified
- 14 electors of the school district as provided for in section 21-03-10, may, within the
- 15 discretion of those proposing ~~such~~the initial resolution or petition, provide for a specific
- 16 school plan for which the proceeds of the bond issue must be exclusively used except
- 17 as otherwise provided in section 21-03-42. ~~Such~~The plan must designate the general
- 18 area to be served by expenditure of bond proceeds for school purposes and the total
- 19 funds allocated for future repair and maintenance for all projects subject to the
- 20 issuance of the bond. The area intended to be served must be described in the plan,
- 21 but need not be described in the bond election ballot.
- 22 2. A bond election ballot form in substantially the form prescribed in section 21-03-13
- 23 must be used in a school district bond election. After approval of the initial resolution
- 24 by the number of qualified electors required by section 21-03-07, the proceeds of the
- 25 bond issue may be used only for the purpose and in the manner designated by the
- 26 school plan except as herein provided.
- 27 3. After approval of the bond issue, no change may be made in the purpose of
- 28 expenditure of the bond proceeds except ~~that~~, upon a favorable vote of sixty percent
- 29 of the qualified electors residing in any specific area intended to be served as provided
- 30 in subsection 1, material changes may be made in ~~such~~the plan as it affects ~~said~~the

1 ~~levied items required under section 4 of this Act,~~ and may in its discretion submit a
2 specific plan for which ~~such~~the fund shall be used. The plan shall ~~shall~~must designate the
3 general area intended to be served by use of ~~such~~the fund. The area intended to be
4 served shall ~~shall~~must be described in the plan but need not be described in the building
5 fund ballot. After approval of the levy and the plan no change shall ~~shall~~may be made in the
6 purpose of expenditure of the building fund except ~~that~~ upon a favorable vote of sixty
7 percent of the qualified electors residing in any specific area intended to be served,
8 material changes may be made ~~in such~~to the plan as it affects ~~such~~the area to the
9 extent ~~such~~the changes do not conflict with contractual obligations incurred. ~~The~~
10 ~~provisions of this~~This section and of subsection 1 of section 57-15-17, in regard to the
11 purpose for which the building fund may be expended shall, do not apply to
12 expenditures for major repairs.