11.0583.04000

Sixty-second Legislative Assembly of North Dakota

FIRST ENGROSSMENT with House Amendments ENGROSSED SENATE BILL NO. 2356

Introduced by

Senators Flakoll, Sorvaag

Representatives Hawken, Keiser

- 1 A BILL for an Act to amend and reenact section 40-22.1-01 of the North Dakota Century Code,
- 2 relating to special assessments for business promotion; and to provide for a legislative
- 3 management study.

4 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

- 5 **SECTION 1. AMENDMENT.** Section 40-22.1-01 of the North Dakota Century Code is amended and reenacted as follows:
- 7 40-22.1-01. Improvements by special assessments for business promotion.
- 8 A municipality may defray the expense of improvements by special assessments for the
- 9 promotion of business activity and new business development through any means not
- inconsistent with the purposes of this chapter, including advertising, public information,
- 11 marketing, <u>maintenance and</u> decoration of public places, promotion of public events, furnishing
- of music in any public place, providing professional management, planning, and promotion, and
- 13 the general promotion of trade activities. For purposes of this chapter, "municipality" means a
- 14 city with a population of ten thousand or less. The governing body of the municipality may make
- and execute necessary or convenient agreements to exercise the powers and functions under
- 16 this chapter, including contracts with any entity. In planning an improvement project under this
- 17 chapter the governing body may include any work and materials which are deemed necessary
- or reasonably incidental to the project. <u>A municipality may not issue warrants, bonds, or any</u>
- 19 other form of indebtedness in anticipation of the levy and collection of assessments under this
- 20 chapter.
- 21 SECTION 2. LEGISLATIVE MANAGEMENT STUDY SPECIAL ASSESSMENTS. During
- 22 the 2011-12 interim, the legislative management shall study use of special assessments for
- 23 public improvements, use and administration of special assessments across the state, and
- 24 alternative funding mechanisms available and possible processes and procedures that would

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- 1 facilitate a transition to any recommended alternative funding mechanisms. The legislative
- 2 management shall report its findings and recommendations, together with any legislation
- 3 required to implement the recommendations, to the sixty-third legislative assembly.