

Introduced by

Senators Oehlke, Armstrong, Miller

Representatives Hofstad, D. Johnson

1 A BILL for an Act to amend and reenact section 11-11-53 and subsection 8 of section
2 57-15-06.7 of the North Dakota Century Code, relating to county property tax levies and a state
3 matching program for county historical work; to provide an appropriation; and to provide an
4 effective date.

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

6 **SECTION 1. AMENDMENT.** Section 11-11-53 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **11-11-53. Appropriation for historical ~~work~~work - Authorization of tax levy - State**
9 **matching program for county historical work - Approval of state historical society and**
10 **attorney general.**

- 11 1. The board of county commissioners of any county may appropriate out of the general
12 fund of the county a sum, not exceeding five thousand dollars annually, to be paid to
13 the historical society of the county and used for the promotion of historical work within
14 the borders of the county, including the collection, preservation, and publication of
15 historical material, and to disseminate historical information of the county, and in
16 general to defray the expense of carrying on historical work in the county.
- 17 2. The board of county commissioners may levy a tax, not exceeding the limitation in
18 subsection 8 of section 57-15-06.7, for the promotion of historical works within the
19 borders of the county and in general defray the expense of carrying on historical work
20 in the county, including the maintenance of any historical room or building, and
21 furthering the work of the historical society of the county. The levy is in addition to any
22 moneys appropriated from the general fund of the county for historical work as
23 provided in subsection 1. ~~The board of county commissioners may, by resolution,~~
24 ~~submit the question of an additional tax levy to the qualified electors of the county at~~

1 the next countywide general, primary, or special election. If sixty percent of the
2 qualified electors voting on the question approve, a tax must be levied not exceeding
3 the limitation in subsection 8 of section 57-15-06.7, which tax may be expended as
4 provided in this section.

5 3. The state historical society shall provide matching funds as provided in this subsection
6 for carrying on historical work in the county. The grants must be made on or before
7 March first of each year to each eligible county. A grant may not be made to any
8 county that has not filed with the state historical society a written grant request and
9 report verifying that any grant funds received under this subsection have been and will
10 be budgeted for the same purposes permitted for the expenditure of proceeds of a tax
11 levied under this section. To qualify for a grant under this section, the written grant
12 request and report must be received by the state historical society before February
13 first of each year and must include information identifying uses of grant funds under
14 this section for the previous year in which the reporting county received grant funds
15 under this subsection. A matching fund grant must be provided from funds provided by
16 legislative appropriation to the state historical society. The matching fund grant to each
17 eligible county may not exceed fifty percent of the amount levied in dollars in the
18 county under this section for the taxable year, but the matching fund grant applies only
19 to a levy of up to three-quarters of one mill under this section.

20 4. The appropriation and levy authorized by this section may not be used to defray any
21 expenses of a county historical society until it is incorporated under the laws of this
22 state as a nonprofit corporation, is affiliated with and has its articles of incorporation
23 and bylaws approved by the state historical society and the attorney general, and has
24 contracted with the board of county commissioners in regard to the manner in which
25 the funds received will be expended and the services to be provided. Historical
26 societies that qualified for county funds under subsection 1 before July 1, 1965, are
27 not required to have articles of incorporation and bylaws approved by the attorney
28 general to receive funds under subsection 1.

29 **SECTION 2. AMENDMENT.** Subsection 8 of section 57-15-06.7 of the North Dakota
30 Century Code is amended and reenacted as follows:

1 8. Counties levying a tax for historical works in accordance with section 11-11-53 may
2 levy a tax not exceeding ~~one quarter of one mill, except that if sixty percent of the~~
3 ~~qualified electors voting on the question of an increase levy as provided in section~~
4 ~~11-11-53 shall approve, a tax may be levied not exceeding~~ three quarters of one mill.

5 **SECTION 3. APPROPRIATION.** There is appropriated out of any moneys in the general
6 fund in the state treasury, not otherwise appropriated, the sum of \$1,200,000, or so much of the
7 sum as may be necessary, to the state historical society for the purpose of providing matching
8 funds for county historical work as provided in section 11-11-53, for the biennium beginning
9 July 1, 2013, and ending June 30, 2015.

10 **SECTION 4. EFFECTIVE DATE.** This Act is effective for taxable years beginning after
11 December 31, 2012.