

**HOUSE CONCURRENT RESOLUTION NO. 3037**

Introduced by

Representatives Kempenich, Drovdal, Heller, Onstad

Senators Christmann, Warner

1 A concurrent resolution urging Congress to decouple federal mineral royalty revenue payments  
2 from states to counties when calculating PILT payments.

3 **WHEREAS**, the Federal Mineral Leasing Act intended for states to share the mineral  
4 royalties with counties, giving priority to those taxing jurisdictions for the impact and  
5 infrastructure needs incurred by the industry that pays the royalty; and

6 **WHEREAS**, federal mineral royalty revenue is considered prior year payments in the  
7 current PILT formula; and

8 **WHEREAS**, prior year payments connected to the PILT formula is a detriment to any  
9 economic development in which federal natural resources are extracted in that local  
10 government's jurisdiction; and

11 **WHEREAS**, the decision to extract natural resources owned by the federal government  
12 should be based only on the economic and scientific data available and not other programs  
13 such as PILT; and

14 **WHEREAS**, local governments may not have increased nontax revenue due to  
15 increased prior year payment because PILT is deducted proportionately; and

16 **WHEREAS**, federal mineral royalty revenue that is passed on from the states to  
17 counties is currently being deducted from their PILT payments as prior year payments; and

18 **WHEREAS**, PILT payments are payments in lieu of taxes on federal lands; and

19 **WHEREAS**, federal mineral royalties are not only derived from minerals held under  
20 federal land but under private land as well; and

21 **WHEREAS**, counties should not be penalized when states share royalty revenue with  
22 counties for offsetting the impacts of the industry;

23 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES**  
24 **OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

Sixtieth  
Legislative Assembly

1           That the Sixtieth Legislative Assembly urges the Congress of the United States to  
2   decouple federal mineral royalty revenue payments from states to counties when calculating  
3   PILT payments; and  
4           **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this  
5   resolution to each member of the North Dakota Congressional Delegation.