

**Sixtieth Legislative Assembly of North Dakota
In Regular Session Commencing Wednesday, January 3, 2007**

HOUSE CONCURRENT RESOLUTION NO. 3037
(Representatives Kempenich, Drovdal, Heller, Onstad)
(Senators Christmann, Warner)

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

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

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

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

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

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

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

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

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

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

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

That the Sixtieth Legislative Assembly urges the Congress of the United States to decouple federal mineral royalty revenue payments from states to counties when calculating PILT payments; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to each member of the North Dakota Congressional Delegation.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

Filed in this office this _____ day of _____, 2007,
at _____ o'clock _____ M.

Secretary of State