

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1051

Page 1, line 1, after "57-15-01.2" insert ", 57-15-10.3,"

Page 1, line 2, after "districts" insert ", emergency levy authority of taxing districts,"

Page 1, line 4, replace "and" with a comma and after "57-38-30.3" insert ", and section 57-51.1-07.2"

Page 1, line 6, remove "and" and after "taxes" insert ", and to provide property tax relief funding from the permanent oil tax trust fund; to provide for a legislative council study"

Page 1, line 7, replace the first "an" with "a continuing"

Page 6, line 25, after "district" insert ", having unused or excess levy authority under any other provision of law."

Page 6, line 27, after the underscored period insert "Notwithstanding the limitation under this section or any other provision of law, a taxing district may levy up to three and one-half percent more than the highest amount levied in dollars by that taxing district against taxable property in that taxing district in the three preceding taxable years, upon approval of a majority of electors of the taxing district voting on the question at a regular or special election of the taxing district. A ballot measure for levy increase authority under this subsection must state the percentage rate of the proposed increase in levy authority in dollars and state for which years the increase in levy authority would apply."

**SECTION 3.** Section 57-15-10.3 of the North Dakota Century Code is created and enacted as follows:

**57-15-10.3. Emergency levy authority.** If the emergency fund or other funds available to a county or city are insufficient to meet demands imposed on the county or city by a disaster or emergency, the governing body of the county or city may levy a tax on the taxable valuation of property in the county or city in an amount sufficient to meet those demands and pay any costs incurred by the county or city to borrow or otherwise obtain necessary funding. A tax may not be levied under this section unless it is approved by at least two-thirds of the members elected to the governing body of the city or county. For purposes of this section, "disaster or emergency" means a disaster or emergency declared by executive order or proclamation of the governor under chapter 37-17.1."

Page 14, replace lines 3 through 7 with:

**"SECTION 10. AMENDMENT.** Section 57-51.1-07.2 of the North Dakota Century Code is amended and reenacted as follows:

**57-51.1-07.2. Permanent oil tax trust fund - Deposits - Interest - Adjustment of distribution formula - Continuing appropriation for property tax relief.** All revenue deposited in the general fund during a biennium derived from taxes imposed on oil and gas under chapters 57-51 and 57-51.1 which exceeds seventy-one million dollars must be transferred by the state treasurer to a special fund in the state

treasury known as the permanent oil tax trust fund. The state treasurer shall transfer interest earnings of the permanent oil tax trust fund to the general fund at the end of each fiscal year. The principal of the permanent oil tax trust fund may not be expended except upon a two-thirds vote of the members elected to each house of the legislative assembly.

If the distribution formulas under chapter 57-51 or 57-51.1 are amended effective after June 30, 1997, the director of the budget shall adjust the seventy-one million dollar amount in this section by the same percentage increase or decrease in the amount of revenue allocable to the general fund after the change in the allocation formula, and transfers to the permanent oil tax trust fund shall thereafter be made using that adjusted figure so that the dollar amount of the transfers to the permanent oil tax trust fund is not increased or decreased merely because of changes in the distribution formulas.

To the extent moneys are available in the permanent oil tax trust fund, up to one hundred sixteen million seven hundred thousand dollars per biennium, or so much of the sum as may be necessary, is appropriated as a standing and continuing appropriation to the state treasurer, for the purpose of providing property tax relief payments to counties in accordance with a plan for the distribution of the payments as enacted by the legislative assembly.

**SECTION 11. LEGISLATIVE COUNCIL STUDY.** During the 2007-08 interim, the legislative council shall study property tax assessment, limitations, imposition, and administration and the effectiveness of property tax relief provided by enactment of this Act. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-first legislative assembly."

Page 14, line 10, replace "8" with "9"

Renumber accordingly