

**FIRST ENGROSSMENT
with Conference Committee Amendments****ENGROSSED HOUSE BILL NO. 1093**

Introduced by

Finance and Taxation Committee

(At the request of the Industrial Commission)

1 A BILL for an Act to amend and reenact subsection 1 of section 57-60-14 of the North Dakota
2 Century Code, relating to allocation of the privilege tax on coal conversion facilities to the lignite
3 research fund; to provide legislative intent; and to provide an expiration date.

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

5 **SECTION 1. AMENDMENT.** Subsection 1 of section 57-60-14 of the North Dakota
6 Century Code is amended and reenacted as follows:

7 1. The state treasurer shall no less than quarterly allocate all moneys received from
8 all coal conversion facilities in each county pursuant to the provisions of this
9 chapter and moneys received for those taxes for which a credit is allowed pursuant
10 to section 57-60-06, notwithstanding the provisions of section 57-33.1-08, fifteen
11 percent to the county and eighty-five percent to the state general fund, except
12 moneys received from the tax imposed by subsection 3 of section 57-60-02 and
13 through December 31, 2009, the first \$41,666.67 each month from the tax imposed
14 by subsections 1 and 4 of section 57-60-02, which must be deposited in the state
15 general fund. From July 1, 2007, through June 30, 2009, three and one-half
16 percent of all funds allocated to the state general fund pursuant to this chapter
17 must be allocated to the lignite research fund and after June 30, 2009, five percent
18 of all funds allocated to the state general fund pursuant to this chapter must be
19 allocated to the lignite research fund, for the purposes defined in section
20 57-61-01.5.

21 **SECTION 2. LEGISLATIVE INTENT - LIGNITE LITIGATION.** It is the intent of the
22 legislative assembly that \$500,000 of the amount allocated to the lignite research fund in
23 section 1 of this Act is to be used to pay for fees associated with lignite litigation that may be
24 brought by the state to protect and promote the continued development of lignite resources. If

1 activities associated with the litigation are not initiated by January 1, 2009, the \$500,000 must
2 be returned to the general fund.

3 **SECTION 3. EXPIRATION DATE.** Except as otherwise provided in this Act, this Act is
4 effective through July 31, 2018, and after that date is ineffective.