

Sixty-first
Legislative Assembly
of North Dakota

HOUSE CONCURRENT RESOLUTION NO.

Introduced by

Representative Weiler

1 A concurrent resolution to create and enact a new section to article X of the Constitution of
2 North Dakota, relating to establishment and use of an oil tax trust fund; and to provide an
3 effective date.

STATEMENT OF INTENT

5 This measure establishes an oil tax trust fund and imposes limitations on use of moneys in the
6 fund.

7 **BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE**
8 **SENATE CONCURRING THEREIN:**

9 That the following proposed new section to article X of the Constitution of North Dakota
10 is agreed to and must be submitted to the qualified electors of North Dakota at the general
11 election to be held in 2010, in accordance with section 16 of article IV of the Constitution of
12 North Dakota.

13 **SECTION 1.** A new section to article X of the Constitution of North Dakota is created
14 and enacted as follows:

15 Revenue derived from taxes on oil and gas production or extraction except those
16 revenues allocated by constitutional or statutory provisions to impact grants, political
17 subdivisions, the oil and gas research fund, water development bond principle and interest
18 payments, the resources trust fund, the common schools trust fund, and the foundation aid
19 stabilization fund shall be allocated during each biennium as follows:

- 20 1. The first seventy-five million dollars to the state general fund.
- 21 2. The next one hundred million dollars, seventy-five percent to the state general fund
22 and twenty-five percent to the oil tax trust fund.
- 23 3. For the next one hundred million dollars, fifty percent to the state general fund and
24 fifty percent to the oil tax trust fund.

1 4. All revenues exceeding two hundred seventy-five million dollars, twenty-five
2 percent to the state general fund and seventy-five to the oil tax trust fund.

3 The state investment board shall invest the principle of the oil tax trust fund. The state
4 treasurer shall transfer earnings of the oil tax trust fund to the state general fund at the end of
5 each fiscal year. The principle of the oil tax trust fund may not be expended except upon a vote
6 of two-thirds of the members elected to each house of the legislative assembly.

7 **SECTION 2. EFFECTIVE DATE.** If approved by the voters, this measure becomes
8 effective for oil and gas produced after June 30, 2011.