

Sixty-second  
Legislative Assembly  
of North Dakota

**ENGROSSED SENATE BILL NO. 2140**

Introduced by

Senators Lyson, Nodland, Wardner

Representatives Sukut, Hatlestad, N. Johnson

1 A BILL for an Act to amend and reenact sections 57-62-01, 57-62-03.1, and 57-62-06 of the  
2 North Dakota Century Code, relating to availability of oil and gas impact grant funds to park  
3 districts.

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

5 **SECTION 1. AMENDMENT.** Section 57-62-01 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **57-62-01. Definitions.**

8 As used in this chapter, unless the context or subject matter otherwise requires:

- 9 1. "Coal development" means the mining of coal and industries directly related to the  
10 processing of coal, including the generation of electricity from coal or coal products,  
11 coal gasification, coal liquefaction, and the manufacture of fertilizer from coal.
- 12 2. "Impacted city" means a city which demonstrates actual or anticipated extraordinary  
13 expenditures caused by coal or oil and gas development and the growth incidental  
14 thereto.
- 15 3. "Impacted county" means a county which demonstrates actual or anticipated  
16 extraordinary expenditures caused by coal or oil and gas development and the growth  
17 incidental thereto.
- 18 4. "Impacted park district" means a city or county park district that demonstrates actual or  
19 anticipated extraordinary expenditures caused by coal or oil and gas development and  
20 the growth incidental thereto.
- 21 5. "Impacted school district" means a public school district which demonstrates actual or  
22 anticipated extraordinary expenditures caused by coal or oil and gas development and  
23 the growth incidental thereto.

1     ~~5-6.~~    "Impacted taxing district" means a taxing district as defined in subsection ~~7~~8 which  
2               demonstrates actual or anticipated extraordinary expenditures caused by coal or oil  
3               and gas development and the growth incidental thereto.

4     ~~6-7.~~    "Oil and gas development" means the exploration for and production of oil and gas  
5               and industries directly relating to the refining or processing of the oil or gas.

6     ~~7-8.~~    "Taxing district" means any political subdivision, other than those included in  
7               subsections 2 through ~~4~~5, empowered by law to levy taxes.

8             **SECTION 2. AMENDMENT.** Section 57-62-03.1 of the North Dakota Century Code is  
9     amended and reenacted as follows:

10            **57-62-03.1. Oil and gas impact grant fund - Continuing appropriation.**

11            The moneys accumulated in the oil and gas impact grant fund must be allocated as  
12     provided by law and as appropriated by the legislative assembly for distribution through grants  
13     by the energy development impact office to oil and gas development-impacted cities, counties,  
14     school districts, park districts, and other taxing districts or for industrial commission enforcement  
15     of laws and rules relating to geophysical exploration in this state. The amounts deposited in the  
16     oil and gas impact grant fund under subsection 1 of section 57-51-15 are appropriated as a  
17     standing and continuing appropriation to the energy development impact office for grants as  
18     provided in this section.

19            **SECTION 3. AMENDMENT.** Section 57-62-06 of the North Dakota Century Code is  
20     amended and reenacted as follows:

21            **57-62-06. Legislative intent and guidelines on impact grants.**

22            The legislative assembly intends that the moneys appropriated to, and distributed by, the  
23     energy development impact office for grants are to be used by grantees to meet initial impacts  
24     affecting basic governmental services, including services provided by city or county park  
25     districts, and directly necessitated by coal development and oil and gas development impact. As  
26     used in this section, "basic governmental services" do not include activities relating to marriage  
27     or guidance counseling, services or programs to alleviate other sociological impacts, or services  
28     or facilities to meet secondary impacts. All grant applications and presentations to the energy  
29     development impact office must be made by an appointed or elected government official.