

Sixty-second  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2047

Introduced by

Legislative Management

(Taxation Committee)

1 A BILL for an Act to amend and reenact section 21-06-10 of the North Dakota Century Code,  
2 relating to allocation of revenues from the leasing of federal flood control lands; to provide an  
3 effective date; and to declare an emergency.

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

5 **SECTION 1. AMENDMENT.** Section 21-06-10 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **21-06-10. Moneys received through leasing of lands acquired by United States for**  
8 **flood control distributed through grants to counties for schools and roads, school**  
9 **districts, and townships.**

10 The state treasurer shall ~~pay~~transfer the moneys allocated to the state under 33 U.S.C.  
11 701(c)(3) to the oil and gas impact grant fund, to be held in a special account within that fund  
12 and made available through grants by the energy development impact office only for the benefit  
13 of oil and gas development-impacted townships, school districts, or county government in the  
14 counties entitled to receive them in proportion to the area of the land in the county in which land  
15 has been acquired by the United States for which compensation is being provided under 33  
16 U.S.C. 701(c)(3) ~~as that area bears to the total of these federal lands in the state. A county-~~  
17 ~~receiving an allocation under this section shall disburse the moneys received as follows:~~

18 1. ~~One-half must be paid to the school districts in the county which have lost land subject~~  
19 ~~to taxation because of the acquisition of lands by the United States for which~~  
20 ~~compensation is being provided under 33 U.S.C. 701(c)(3) in proportion to the area of~~  
21 ~~these federal lands in each district as that area bears to the total of such lands in all of~~  
22 ~~the school districts in the county. If, however, all of the land in a district has been~~  
23 ~~acquired by the United States, that district's proportionate share of the funds allocated~~

1           under this subsection must be paid into the county tuition fund and expended  
2           according to the law governing that fund.

3       2.   One quarter must be paid to the county for road purposes to be expended as the  
4           county commissioners shall determine.

5       3.   The final quarter must be allocated among the organized townships, if any, which have  
6           lost land subject to taxation because of land acquisitions by the United States for  
7           which compensation is being provided under 33 U.S.C. 701(c)(3) and the county for  
8           road purposes in proportion to the area of these lands in each township as that area  
9           bears to the total area of these federal lands in the county. The county must be  
10          allocated a similar proportionate share based on the area of these lands in the county  
11          not within an organized township.

12   This section applies to all funds heretofore received or to be received by the counties entitled  
13   thereto.

14       **SECTION 2. EFFECTIVE DATE.** Section 1 of this Act is effective for revenue allocated to  
15   the state under 33 U.S.C. 701(c)(3) after July 31, 2011. Section 2 of this Act becomes effective  
16   August 1, 2011.

17       **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.