

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 ~~of~~
2 ~~the~~ 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 ~~1.2.~~ 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 ~~1.~~ 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
13 through grants by the energy development impact office to oil and gas
14 development-impacted cities, counties, school districts, park districts, and other taxing
15 districts or for industrial commission enforcement of laws and rules relating to
16 geophysical exploration in this state. The amounts deposited in the oil and gas impact
17 grant fund under subsection 1 of section 57-51-15 are appropriated as a standing and
18 continuing appropriation to the energy development impact office for grants as
19 provided in this section.

20 ~~2. The energy development impact office shall designate five percent of the amount~~
21 ~~made available for grants each year and make the designated amount available for~~
22 ~~grants to oil and gas development impacted city or county park districts. Any of the~~
23 ~~designated amount for the year which is not awarded to park districts must be made~~
24 ~~available for grants for that year to other taxing districts.~~

25 **SECTION ~~2.3.~~ AMENDMENT.** Section 57-62-06 of the North Dakota Century Code is
26 amended and reenacted as follows:

27 **57-62-06. Legislative intent and guidelines on impact grants.**

28 The legislative assembly intends that the moneys appropriated to, and distributed by, the
29 energy development impact office for grants are to be used by grantees to meet initial impacts
30 affecting basic governmental services, including services provided by city or county park
31 districts, and directly necessitated by coal development and oil and gas development impact. As

1 used in this section, "basic governmental services" do not include activities relating to marriage
2 or guidance counseling, services or programs to alleviate other sociological impacts, or services
3 or facilities to meet secondary impacts. ~~As used in this section, services provided by city or~~
4 ~~county park districts are "basic governmental services" and increased use of park district~~
5 ~~property or facilities is an "initial impact".~~ All grant applications and presentations to the energy
6 development impact office must be made by an appointed or elected government official.