

Introduced by

Representatives Carlson, Devlin, Nathe, Schatz, Vigesaa

1 A concurrent resolution to amend and reenact section 26 of article X of the Constitution of North  
2 Dakota, relating to transfer of a portion of the earnings of the legacy fund to the legacy  
3 scholarship fund.

4 **STATEMENT OF INTENT**

5 This measure provides for transfer of a portion of the earnings of the legacy fund to the legacy  
6 scholarship fund and use of that fund to provide legacy scholarships to North Dakota high  
7 school graduates to attend North Dakota state institutions of higher education. Amounts of, and  
8 qualification for, legacy scholarships will be determined by laws enacted by the legislative  
9 assembly.

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

12 That the following proposed amendment to section 26 of article X of the Constitution of  
13 North Dakota is agreed to and must be submitted to the qualified electors of North Dakota at the  
14 general election to be held in 2014, in accordance with section 16 of article IV of the  
15 Constitution of North Dakota.

16 **SECTION 1. AMENDMENT.** Section 26 of article X of the Constitution of North Dakota is  
17 amended and reenacted as follows:

18 **Section 26.**

- 19 1. Thirty percent of total revenue derived from taxes on oil and gas production or  
20 extraction must be transferred by the state treasurer to a special fund in the state  
21 treasury known as the legacy fund. The legislative assembly may transfer funds from  
22 any source into the legacy fund and such transfers become part of the principal of the  
23 legacy fund.
- 24 2. The principal and earnings of the legacy fund may not be expended until after  
25 June 30, 2017, and an expenditure of principal after that date requires a vote of at

1 least two-thirds of the members elected to each house of the legislative assembly. Not  
2 more than fifteen percent of the principal of the legacy fund may be expended during a  
3 biennium.

4 3. Statutory programs, in existence as a result of legislation enacted through 2009,  
5 providing for impact grants, direct revenue allocations to political subdivisions, and  
6 deposits in the oil and gas research fund must remain in effect but the legislative  
7 assembly may adjust statutory allocations for those purposes.

8 4. The state investment board shall invest the principal of the North Dakota legacy fund.

9 The

10 5. Beginning July 1, 2018, on July first of each year, the state treasurer shall transfer ten  
11 million dollars of the earnings of the North Dakota legacy fund to a special fund in the  
12 state treasury known as the legacy scholarship fund. Money deposited in the legacy  
13 scholarship fund and the earnings of that fund may be expended only by legislative  
14 appropriation for legacy scholarships. Legacy scholarships may be awarded as  
15 provided by law but only to recipients of a North Dakota school district high school  
16 diploma who meet academic performance and other minimum standards established  
17 by law. Legacy scholarships may be awarded only for attendance at North Dakota  
18 state institutions of higher education.

19 6. Except for funds transferred to the legacy scholarship fund under subsection 5, the  
20 state treasurer shall transfer all earnings of the North Dakota legacy fund accruing  
21 after June 30, 2017, to the state general fund at the end of each biennium.