

Sixty-first
Legislative Assembly
of North Dakota

HOUSE CONCURRENT RESOLUTION NO. 3058

Introduced by

Representatives Kroeber, Mueller

Senator Robinson

1 A concurrent resolution for the amendment of section 24 of article X of the Constitution of North
2 Dakota, relating to the permitted growth of the foundation aid stabilization fund.

3 **STATEMENT OF INTENT**

4 This measure provides that if the deposits of oil extraction tax revenues into the foundation aid
5 stabilization fund would exceed fifteen percent of the components of the grants - state school
6 aid line item, as constituted on July 1, 2009, in the appropriation bill for the superintendent of
7 public instruction, the excess amount must be deposited in the common schools trust fund. The
8 measure also provides that the interest income from the foundation aid stabilization fund may
9 be used to meet any shortfalls in amounts appropriated for elementary and secondary
10 education during a given biennium and that unused interest income must be transferred to the
11 state general fund on July first of each odd-numbered year.

12 **BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE** 13 **SENATE CONCURRING THEREIN:**

14 That the following proposed amendment to section 24 of article X of the Constitution of
15 North Dakota is agreed to and must be submitted to the qualified electors of North Dakota at
16 the general election to be held in 2010, in accordance with section 16 of article IV of the
17 Constitution of North Dakota.

18 **SECTION 1. AMENDMENT.** Section 24 of article X of the Constitution of North Dakota
19 is amended and reenacted as follows:

20 **Section 24.**

21 1. Twenty percent of the revenue from oil extraction taxes from taxable oil produced
22 in this state must be allocated as follows:

23 ~~1.~~ a. Fifty percent must be deposited in the common schools trust fund.

24 ~~2.~~ b. Fifty percent must be deposited in the foundation aid stabilization fund in the
25 state treasury, ~~the~~ If in any biennium the amount to be deposited in the

1 foundation aid stabilization fund would exceed fifteen percent of the
2 components of the grants - state school aid line item, as constituted on July 1,
3 2009, in the appropriation bill for the superintendent of public instruction, the
4 excess amount must be deposited in the common schools trust fund.

5 2. The interest income ~~of which~~ from the foundation aid stabilization fund may be
6 expended upon order of the governor to meet any shortfalls in amounts
7 appropriated for elementary and secondary education during a given biennium and
8 any interest income not so used must be transferred to the state general fund on
9 July first of each odd-numbered year.

10 3. The principal of the foundation aid stabilization fund may be expended only upon
11 order of the governor, who may direct such a transfer only to offset foundation aid
12 reductions that were made by executive action pursuant to law due to a revenue
13 shortage.