

Sixty-fourth  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1377**

Introduced by

Representatives Delzer, Carlson

Senators Holmberg, Wardner

1 A BILL for an Act to create the next biennium K-12 fund; to amend and reenact sections  
2 15-08.1-08 and 57-51.1-07.5 of the North Dakota Century Code, relating to the unobligated  
3 balance of the strategic investment and improvements fund and the state share of oil and gas  
4 tax allocations; to provide an effective date; and to declare an emergency.

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

6 **SECTION 1. AMENDMENT.** Section 15-08.1-08 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8 **15-08.1-08. Income - Expenses - Reimbursement - Creation of strategic investment**  
9 **and improvements fund - Legislative intent -~~Contingent transfer to legacy fund.~~**

10 The income derived from the sale, lease, and management of the mineral interests acquired  
11 by the board of university and school lands pursuant to this chapter and other funds as provided  
12 by law must, after deducting the expenses of sale, lease, and management of the property, be  
13 deposited in a fund to be known as the strategic investment and improvements fund. The  
14 corpus and interest of such trust may be expended as the legislative assembly may provide for  
15 one-time expenditures relating to improving state infrastructure or for initiatives to improve the  
16 efficiency and effectiveness of state government. It is the intent of the legislative assembly that  
17 moneys in the fund may be included in draft appropriation acts under section 54-44.1-06 and  
18 may be appropriated by the legislative assembly, but only to the extent that the moneys are  
19 estimated to be available at the beginning of the biennium in which the appropriations are  
20 authorized. ~~If the unobligated balance in the fund at the end of any month exceeds three-~~  
21 ~~hundred million dollars, twenty-five percent of any revenues received for deposit in the fund in-~~  
22 ~~the subsequent month must be deposited instead into the legacy fund. For purposes of this-~~  
23 ~~section, "unobligated balance in the fund" means the balance in the fund reduced by-~~  
24 ~~appropriations or transfers from the fund authorized by the legislative assembly, guarantee~~

reserve fund requirements under section 6-09.7-05, and any fund balance designated by the board of university and school lands relating to potential title disputes related to certain riverbed leases.

## **SECTION 2.**

### **Next biennium K-12 fund.**

There is created in the state treasury the next biennium K-12 fund. The fund consists of oil and gas tax revenues deposited pursuant to chapter 57-51.1. Moneys in the fund may be spent, pursuant to legislative appropriations, for elementary and secondary education purposes.

**SECTION 3. AMENDMENT.** Section 57-51.1-07.5 of the North Dakota Century Code is amended and reenacted as follows:

### **~~57-51.1-07.5. (Effective through June 30, 2015) State share of oil and gas taxes --~~** **~~Deposits.~~**

~~From the revenues designated for deposit in the state general fund under chapters 57-51 and 57-51.1, the state treasurer shall deposit the revenues received each biennium as follows:~~

~~1. The first two hundred million dollars into the state general fund;~~

~~2. The next three hundred forty one million seven hundred ninety thousand dollars into the property tax relief fund;~~

~~3. The next one hundred million dollars into the state general fund;~~

~~4. The next one hundred million dollars into the strategic investment and improvements fund;~~

~~5. The next twenty two million dollars into the state disaster relief fund; and~~

~~6. Any additional revenues into the strategic investment and improvements fund.~~

**~~(Effective after June 30, 2015) State share of oil and gas taxes - Deposits.~~** From the revenues designated for deposit in the state general fund under chapters 57-51 and 57-51.1, the state treasurer shall deposit the revenues received each biennium as follows:

1. The first two hundred million dollars into the state general fund;

2. ~~The next three hundred forty one million seven hundred ninety thousand dollars into the property tax relief sustainability fund~~The next seven hundred twelve million dollars into the next biennium K-12 fund;

3. The next one hundred million dollars into the state general fund;

1        4.    The next ~~five hundred fifteen million two hundred ten~~two hundred fifty million dollars  
2            into the property tax relief sustainability fund;

3        4.5.    The next one hundred million dollars into the strategic investment and improvements  
4            fund;

5        5.6.    The next twenty-two million dollars into the state disaster relief fund, but not in an  
6            amount that would bring the unobligated balance in the fund to more than  
7            ~~forty~~twenty-five million dollars; and

8        6.7.    Any additional revenues into the strategic investment and improvements fund.

9            **SECTION 4. EFFECTIVE DATE.** This Act is effective for tax collections received by the tax  
10 commissioner and for royalty, bonus, and other revenues received for deposit into the strategic  
11 investment and improvements fund after June 30, 2015.

12        **SECTION 5. EMERGENCY.** This Act is declared to be an emergency measure.