

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1380

- Page 1, line 1, remove "a new section to chapter 6-09,"
- Page 1, line 2, remove "a new section to chapter 15-20.1,"
- Page 1, line 2, remove ", a new section to"
- Page 1, line 3, replace "chapter 50-06, two new sections to chapter 54-44, and a new section to chapter 54-59" with ", and a new section to chapter 57-38"
- Page 1, line 4, remove "an economic diversification research fund,"
- Page 1, line 5, remove "a career and technical education support fund,"
- Page 1, line 6, remove ", a behavioral health support fund, a legacy infrastructure project fund, a state building"
- Page 1, line 7, replace "maintenance and project fund, and an information technology cybersecurity fund" with ", and an income tax relief fund"
- Page 1, line 8, remove "subsection 1 of section 21-10-06 and"
- Page 1, line 9, remove "funds invested by the state investment board and"
- Page 1, line 10, after the semicolon insert "and to provide a statement of legislative intent;"
- Page 1, line 10, remove "; and to provide a report"
- Page 1, remove lines 12 through 24
- Page 2, remove lines 1 through 29
- Page 3, line 4, replace "6" with "3"
- Page 3, line 6, after the underscored period insert "Any moneys in the fund in excess of the amounts necessary to meet the debt service requirements for a biennium, may be appropriated by the legislative assembly for other purposes."
- Page 3, remove lines 7 through 31
- Page 4, remove line 1
- Page 4, line 13, remove "**- Reserve balance**"
- Page 4, line 20, replace "Any" with "If the"
- Page 4, line 20, replace "in excess of" with "exceed"
- Page 4, line 21, remove "must be retained in the fund and designated as a"
- Page 4, remove lines 22 and 23
- Page 4, line 24, replace "than the amount available for appropriation under subsection 4" with "the state treasurer shall transfer the excess, within thirty days, as follows:"

- a. Forty percent to the strategic investment and improvements fund to be used in accordance with the provisions of section 15-08.1-08;
- b. Forty percent to the legacy fund to become part of the principal; and
- c. Twenty percent to the income tax relief fund under section 4 of this Act"

Page 4, line 27, replace "seven" with "six"

Page 5, line 3, replace "as follows" with "in the following order"

Page 5, replace lines 4 through 31 with:

- "a. The first one hundred million dollars to the legacy sinking and interest fund under section 1 of this Act;
- b. The next forty million dollars to the clean sustainable energy fund;
- c. The next forty million dollars to the infrastructure revolving loan fund under section 6-09-49, but not in an amount that would bring the balance of the infrastructure revolving loan fund to more than five hundred million dollars; and
- d. Any remaining funds for other purposes as designated by the legislative assembly."

Page 6, replace lines 1 through 31 with:

**"SECTION 4.** A new section to chapter 57-38 of the North Dakota Century Code is created and enacted as follows:

**Income tax relief fund.**

There is created in the state treasury the income tax relief fund. The fund consists of all moneys deposited in the fund under section 3 of this Act. Moneys in the fund may be spent pursuant to legislative appropriations for individual and corporate income tax relief.

**SECTION 5. LEGISLATIVE INTENT.** It is the intent of the sixty-seventh legislative assembly that the sixty-eighth legislative assembly consider additional allocations from the legacy earnings fund, including allocations to the highway tax distribution fund, value-added agricultural programs, the innovation loan fund to support technology advancement, state building maintenance and improvements, and for other one-time initiatives and projects, including initiatives and projects to diversify the state's economy, to improve the efficiency and effectiveness of state government, and to reduce ongoing general fund appropriations of state agencies."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

This amendment:

- Removes sections to create an economic diversification research fund, a career and technical education support fund, a behavioral health support fund, a legacy infrastructure project fund, a state building maintenance and project fund, and an information technology cybersecurity fund;

- Removes a section related to the investment of a newly created legacy earnings fund;
- Transfers any earnings in excess of the amount available for spending 40 percent to the strategic investment and improvements fund, 40 percent to the legacy fund to become part of the principal, and 20 percent to an income tax relief fund;
- Reduces the amount available for spending from 7 to 6 percent of the 5-year average of legacy fund assets;
- Replaces allocations to various state funds based on percentages with allocations based on fixed dollar amounts to a newly created legacy sinking and interest fund, a clean sustainable energy fund, and an infrastructure revolving loan fund; and
- Provides a statement of legislative intent regarding additional allocations from the legacy earnings fund for consideration by the 68<sup>th</sup> Legislative Assembly.