

Introduced by

Representatives Murphy, Hager, Novak, Jonas, Weisz, Conmy

1 A concurrent resolution to amend and reenact section 2 of article IX of the Constitution of North  
2 Dakota, relating to distributions from the common schools trust fund.

3 **STATEMENT OF INTENT**

4 This measure permits the funding of school construction across the state with distributions from  
5 the common schools trust fund totaling three billion dollars over ten years, at a rate of three  
6 hundred million dollars per year.

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

9 That the following proposed amendment to section 2 of article IX of the Constitution of  
10 North Dakota is agreed to and must be submitted to the qualified electors of North Dakota at the  
11 general election to be held in 2026, in accordance with section 16 of article IV of the  
12 Constitution of North Dakota.

13 **SECTION 1. AMENDMENT.** Section 2 of article IX of the Constitution of North Dakota is  
14 amended and reenacted as follows:

15 **Section 2.**

- 16 1. Distributions from the common schools trust fund, together with the net proceeds of all  
17 fines for violation of state laws and all other sums which may be added by law, must  
18 be faithfully used and applied each year for the benefit of the common schools of the  
19 state and no part of the fund ~~must~~may ever be diverted, even temporarily, from this  
20 purpose or used for any purpose other than the maintenance of common schools as  
21 provided by law.
- 22 2. Distributions from an educational or charitable institution's trust fund must be faithfully  
23 used and applied each year for the benefit of the institution and no part of the fund  
24 may ever be diverted, even temporarily, from this purpose or used for any purpose  
25 other than the maintenance of the institution, as provided by law.

1       ~~For the biennium during which this amendment takes effect, distributions from the perpetual-~~  
2 ~~trust funds must be the greater of the amount distributed in the preceding biennium or ten-~~  
3 ~~percent of the five-year average value of trust assets, excluding the value of lands and-~~  
4 ~~minerals. Thereafter, biennial~~

5       3. Biennial distributions from the perpetual trust funds must be ten percent of the  
6 five-year average value of trust assets, excluding the value of lands and minerals. The  
7 average value of trust assets is determined by using the assets' ending value for the  
8 fiscal year that ends one year before the beginning of the biennium and the assets'  
9 ending value for the four preceding fiscal years. Equal amounts must be distributed  
10 during each year of the biennium.

11       4. In addition to the distributions under subsection 3, for the 2027-29 through 2035-37  
12 bienniums, biennial distributions from the perpetual trust funds must include an  
13 additional six hundred million dollars, equally distributed during each year of the  
14 biennium, to fund school construction statewide in accordance with the statutory state-  
15 funded construction program.