

Introduced by

Representative Kretschmar

1 A concurrent resolution to amend and reenact section 26 of article X of the Constitution of North
2 Dakota, relating to the use of funds in the legacy fund; and to provide an effective date.

3 **STATEMENT OF INTENT**

4 This measure would require the state treasurer to transfer four percent of the funds in the
5 legacy fund to the state general fund at the end of each state fiscal year, beginning in 2018.

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

8 That the following proposed amendment to section 26 of article X of the Constitution of
9 North Dakota is agreed to and must be submitted to the qualified electors of North Dakota at the
10 general election to be held in 2016, in accordance with section 16 of article IV of the
11 Constitution of North Dakota.

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

14 **Section 26.**

15 1. Thirty percent of total revenue derived from taxes on oil and gas production or
16 extraction must be transferred by the state treasurer to a special fund in the state
17 treasury known as the legacy fund. The legislative assembly may transfer funds from
18 any source into the legacy fund and such transfers become part of the principal of the
19 legacy fund.

20 2. ~~The principal and earnings of the legacy fund may not be expended until after~~
21 ~~June 30, 2017, and an~~Except as provided in subsection 4, an expenditure of principal
22 ~~after that date~~from the legacy fund requires a vote of at least two-thirds of the
23 members elected to each house of the legislative assembly. Not more than fifteen
24 percent of the principal of the legacy fund may be expended during a biennium.

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

5 4. The state investment board shall invest the principal of the North Dakota legacy fund.
6 The state treasurer shall transfer ~~earnings~~four percent of the funds in the North
7 Dakota legacy fund ~~accruing after June 30, 2017,~~ to the state general fund at the end
8 of each ~~biennium~~fiscal year.

9 **SECTION 2. EFFECTIVE DATE.** This measure becomes effective January 1, 2018.