

Introduced by

Senator Cook

1 A BILL for an Act to amend and reenact sections 54-27.2-03 and 57-51.1-07.5 of the North
2 Dakota Century Code, relating to the budget stabilization fund, the strategic investment and
3 improvements fund, and oil and gas tax revenue deposits; to provide an effective date; and to
4 declare an emergency.

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

6 **SECTION 1. AMENDMENT.** Section 54-27.2-03 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **54-27.2-03. Revenue shortfalls - Allotments and Transfers and expenditurestransfers**
9 **from strategic investment and improvements fund and budget stabilization fund.**

10 If the director of the office of management and budget projects that general fund revenues
11 for the biennium will be ~~at least two and one-half percent less than estimated~~general fund
12 revenue projections made by the most recently adjourned special or regular session of the
13 legislative assembly, and if ~~the governor orders a transfer, which must be reported to the budget~~
14 ~~section of the legislative management, the state treasurer shall transfer the appropriate funds~~
15 ~~from the budget stabilization fund to the state general fund to offset the decrease in general~~
16 ~~fund revenues. The amount transferred from the budget stabilization fund upon order of the~~
17 ~~governor may not exceed the difference between an amount two and one-half percent below~~
18 ~~the general fund revenue projections for the biennium of the most recently adjourned special or~~
19 ~~regular session of the legislative assembly and the general fund revenue projections for the~~
20 ~~biennium by the director of the office of management and budget. The amount~~the office of
21 management and budget, upon order of the governor, shall:

22 1. Transfer up to three hundred million dollars from moneys available in the strategic
23 investment and improvements fund to the general fund to offset the revenue shortfall.
24 The amount transferred may not exceed the amount of the revenue shortfall.

- 1 2. Reduce general fund appropriations through a system of allotments in accordance
2 with provisions of section 54-44.1-12 to offset any remaining revenue shortfall not
3 eliminated under subsection 1 of this section of up to two and one-half percent of the
4 general fund revenue projections for the biennium of the most recently adjourned
5 regular or special session of the legislative assembly.
- 6 3. Transfer from moneys available in the budget stabilization fund to the general fund to
7 offset any remaining revenue shortfall not eliminated under subsections 1 and 2 of this
8 section. The amount transferred may not exceed the amount of revenue shortfall
9 remaining after transfers and allotments under subsections 1 and 2 of this section
10 have been completed.

11 Any amounts transferred from the strategic investment and improvements fund or budget
12 stabilization fund upon order of the governor to the state general fund may be expended within
13 the limits of legislative guidelines and general fund appropriations of the most recently
14 adjourned special or regular session of the legislative assembly. For purposes of this section,
15 "general fund revenues for the biennium" and "general fund revenue projections for the
16 biennium" include the general fund balance at the beginning of the biennium and "revenue
17 shortfall" means the difference between the general fund revenue projections for the biennium
18 of the most recently adjourned special or regular session of the legislative assembly and the
19 general fund revenue projections for the biennium by the director of the office of management
20 and budget.

21 **SECTION 2. AMENDMENT.** Section 57-51.1-07.5 of the North Dakota Century Code is
22 amended and reenacted as follows:

23 **57-51.1-07.5. State share of oil and gas taxes - Deposits.**

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

- 26 1. ~~The first two hundred million dollars into the state general fund;~~
27 2. ~~The next three hundred forty-one million seven hundred ninety thousand dollars into~~
28 the property tax relief sustainability fund;
29 3. ~~The next one hundred million dollars into the state general fund;~~
30 4.2. The next one hundred million dollars into the strategic investment and improvements
31 fund;

- 1 ~~5.3.~~ The next twenty-two million dollars into the state disaster relief fund; and
- 2 ~~6.4.~~ Any additional revenues into the strategic investment and improvements fund.
- 3 **SECTION 3. EFFECTIVE DATE.** This Act becomes effective on July 1, 2013.
- 4 **SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure.