

13.3042.03000

**FIRST ENGROSSMENT**

Sixty-third  
Legislative Assembly  
of North Dakota

**ENGROSSED HOUSE CONCURRENT  
RESOLUTION NO. 3040**

Introduced by

Representatives Delmore, J. Kelsh, Wall

Senators Heckaman, Poolman, Sinner

1 A concurrent resolution for the amendment of section 24 of article X of the Constitution of North  
2 Dakota, relating to the permitted growth of the foundation aid stabilization fund.

3 **STATEMENT OF INTENT**

4 This measure provides that if the deposits of oil extraction tax revenues into the foundation aid  
5 stabilization fund would cause the fund to increase to more than twenty percent of the grants -  
6 state school aid line item in the prior biennium's appropriation bill for the superintendent of  
7 public instruction, the excess amount must be deposited in the common schools trust fund.

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

10 That the following proposed amendment to section 24 of article X of the Constitution of  
11 North Dakota is agreed to and must be submitted to the qualified electors of North Dakota at the  
12 primary election to be held in 2014, in accordance with section 16 of article IV of the  
13 Constitution of North Dakota.

14 **SECTION 1. AMENDMENT.** Section 24 of article X of the Constitution of North Dakota is  
15 amended and reenacted as follows:

16 **Section 24.**

17 1. Twenty percent of the revenue from oil extraction taxes from taxable oil produced in  
18 this state must be allocated as follows:

19 ~~4- a.~~ Fifty percent must be deposited in the common schools trust fund; and

20 ~~2- b.~~ Fifty percent must be deposited in the foundation aid stabilization fund ~~in the~~  
21 ~~state treasury, the interest.~~

22 2. Whenever the foundation aid stabilization fund reaches a level equal to twenty percent  
23 of the grants - state school aid line item in the prior biennium's appropriation bill for the  
24 superintendent of public instruction, the excess revenue must be deposited in the  
25 common schools trust fund.

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- 1        3. The income of which from the foundation aid stabilization fund may be expended upon  
2        order of the governor to meet any shortfalls in amounts appropriated for elementary  
3        and secondary education during a given biennium or to meet benefit obligations  
4        payable by the state to members of any public employees retirement system. Any  
5        income not so expended must be transferred to the state general fund on July first of  
6        each odd-numbered year.
- 7        4. The principal of the foundation aid stabilization fund may be expended only upon order  
8        of the governor, who may direct such a transfer only to offset foundation aid reductions  
9        that were made by executive action pursuant to law due to a revenue shortage.