

**FIRST ENGROSSMENT**

Sixty-first  
Legislative Assembly  
of North Dakota

**ENGROSSED HOUSE CONCURRENT  
RESOLUTION NO. 3058**

Introduced by

Representatives Kroeber, Mueller

Senator Robinson

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 by more than two percent each year, the  
6 excess amount must be deposited in the common schools trust fund.

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 24 of article X of the Constitution of  
10 North Dakota is agreed to and must be submitted to the qualified electors of North Dakota at  
11 the primary election to be held in 2010, in accordance with section 16 of article IV of the  
12 Constitution of North Dakota.

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

15 **Section 24.**

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

- 18 ~~4.~~ a. Fifty percent must be deposited in the common schools trust fund; and  
19 ~~2.~~ b. Fifty percent must be deposited in the foundation aid stabilization fund in the  
20 state treasury; ~~the interest.~~

21 2. Whenever the foundation aid stabilization fund reaches a level of one hundred  
22 million dollars, the foundation aid stabilization fund may not be allowed to grow by  
23 more than two percent per year. If in any year the amount to be deposited under  
24 this section would cause the foundation aid stabilization fund to exceed its

- 1                   permitted rate of growth, the excess taxes must be deposited in the common  
2                   schools trust fund.
- 3           3. The income of which from the foundation aid stabilization fund may be expended  
4                   upon order of the governor to meet any shortfalls in amounts appropriated for  
5                   elementary and secondary education during a given biennium and any income not  
6                   so expended must be transferred to the state general fund on July first of each  
7                   odd-numbered year.
- 8           4. The principal of the foundation aid stabilization fund may be expended only upon  
9                   order of the governor, who may direct such a transfer only to offset foundation aid  
10                  reductions that were made by executive action pursuant to law due to a revenue  
11                  shortage.