

February 13, 2019

PROPOSED AMENDMENTS TO SENATE BILL NO. 2312

Page 1, line 4, replace "and" with "to suspend section 54-35-23 of the North Dakota Century Code, relating to the tribal and state relations committee; to provide for a legislative management tribal taxation issues committee;"

Page 1, line 4, replace "an effective date" with "for application; to provide an expiration date; and to declare an emergency"

Page 2, after line 16, insert:

**"SECTION 3. SUSPENSION.** Section 54-35-23 of the North Dakota Century Code is suspended.

**SECTION 4. TRIBAL TAXATION ISSUES - LEGISLATIVE MANAGEMENT COMMITTEE.**

1. During the 2019-20 interim, the tribal taxation issues committee is created and is composed of ten members as follows:
  - a. The governor;
  - b. The lieutenant governor;
  - c. The tax commissioner;
  - d. The executive director of the Indian affairs commission;
  - e. The majority leader of the house of representatives and the majority leader of the senate;
  - f. The minority leader of the house of representatives and the minority leader of the senate; and
  - g. The chairmen of the finance and taxation standing committees of the house of representatives and the senate.
2. The nonlegislative members shall serve as nonvoting members of the committee.
3. The legislative management shall designate the chairman of the committee. The committee shall operate according to the statutes and procedures governing the operation of other legislative management interim committees.
4. The committee shall study tribal taxation issues, including the tax collection agreements that exist between the tribes and the state, the interaction between tribal sovereignty and state law, consideration of how statutory changes may affect provisions in existing agreements, the amount and manner of revenue sharing under the agreements, the costs and benefits to the state and the tribes if tax compacts are implemented, implementation models used in other states for tax compacts, best practices for negotiating and ratifying tax compacts, the procedure for

withdrawal from an agreement and how to handle disputed funds; and methods for sourcing revenue generated from wells located inside or outside of the external boundaries of a reservation in this state when a horizontal lateral enters a spacing unit that is located both inside and outside of the external boundaries of a reservation in this state.

5. The committee may study tribal-state issues, including government-to-government relations, human services, education, corrections, and issues related to the promotion of economic development.
6. The chairman of the committee shall invite tribal chairmen to each committee meeting.
7. At the conclusion of its meetings, the committee shall report on its findings and recommendations, together with any legislation required to implement those recommendations, to the legislative management."

Page 2, line 17, replace "**EFFECTIVE DATE**" with "**APPLICATION**"

Page 2, line 17, replace "This" with "Sections 1 and 2 of this"

Page 2, line 17, replace "is" with "are"

Page 2, after line 20, insert:

**"SECTION 6. EXPIRATION DATE.** Section 3 of this Act is effective through July 31, 2021, and after that date is ineffective.

**SECTION 7. EMERGENCY.** Sections 1 and 2 of this Act are declared to be an emergency measure."

Renumber accordingly