

Amendments to House Bill No. 379  
3rd Reading Copy

Requested by Representative Jonathan Windy Boy

For the House Appropriations Committee

Prepared by Todd Everts  
March 2, 2005 (8:03am)

1. Title, line 9 through line 12.  
**Strike:** "ALLOCATING" on line 9 through "TAXES" on line 12  
**Insert:** "DIRECTING THE TRANSFER OF FUNDS FROM THE ORPHAN SHARE ACCOUNT"
2. Title, line 12 through line 13.  
**Strike:** "SECTIONS" on line 12 through "AND" on line 13  
**Insert:** "SECTION"
3. Page 1, line 22 through line 25.  
**Strike:** "ALLOCATED" on line 22 through "15-36-331" on line 25  
**Insert:** "transferred from the orphan share account pursuant to 75-10-743"
4. Page 1, line 26.  
**Strike:** "(C)"  
**Insert:** "(b)"
5. Page 2, line 28 through page 7, line 4.  
**Strike:** section 2 through section 3 in their entirety  
**Renumber:** subsequent sections
6. Page 7, line 10.  
**Following:** "and"  
**Insert:** ", except as provided in subsections (10) and (11),"
7. Page 7, line 11.  
**Following:** "and"  
**Strike:** ", except as provided in subsection (10),"
8. Page 7.  
**Following:** line 18  
**Insert:** "(c) funds allocated from the resource indemnity and ground water assessment tax proceeds provided for in 15-38-106;  
(d) funds received from the distribution of oil and natural gas production taxes pursuant to 15-36-331;"  
**Renumber:** subsequent subsections

9. Page 9.

**Following:** line 3

**Insert:** "(11) (a) Beginning in the fiscal year that commences July 1, 2005, the department shall transfer from the orphan share account to the long-term or perpetual water treatment permanent trust fund provided for in [section 1] \$1.2 million dollars in each fiscal year until the board of investments makes the certification pursuant to subsection (11) (b) of this section.

(b) (i) The board of investments shall monitor the long-term or perpetual water treatment permanent trust fund provided for in [section 1] to determine when the amount of money in the long-term or perpetual water treatment permanent trust fund will be sufficient, with future earnings, to provide a fund balance of \$19.3 million on January 1, 2018.

(ii) When the board of investments makes the determination, pursuant to subsection (11) (b) (i), the board of investments shall notify the department and certify to the department the amount of money, if any, that must be transferred during the fiscal year in which the board of investments makes its determination, pursuant to subsection (11) (b) (i), in order to provide a fund balance of \$19.3 million on January 1, 2018.

(iii) In the fiscal year that the board of investments makes its determination and notifies the department, the department shall transfer only the amount certified by the board of investments, if any, and may not make additional transfers during subsequent fiscal years."

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