

PROPOSED AMENDMENTS TO SENATE BILL NO. 2012

Page 1, line 2, after "transportation" insert "; to create and enact section 24-02-40.1 and a new section to chapter 24-08 of the North Dakota Century Code, relating to grant or revenue anticipation financing by the department of transportation and naming of the medal of honor bridge; to amend and reenact section 24-01-03 of the North Dakota Century Code, relating to highway and bridge maintenance; and to declare an emergency"

Page 1, line 20, replace "27,227,294" with "27,185,848"

Page 1, line 21, replace "20,081,797" with "20,048,706"

Page 1, line 22, replace "736,823,693" with "789,997,698"

Page 1, line 23, replace "43,280,168" with "43,271,158"

Page 1, line 24, replace "43,027,034" with "96,117,492"

Page 2, line 6, replace "27,227,294" with "27,185,848"

Page 2, line 7, replace "20,081,797" with "20,048,706"

Page 2, line 8, replace "736,823,693" with "789,997,698"

Page 2, line 9, replace "43,280,168" with "43,271,158"

Page 2, line 10, replace "827,412,952" with "880,503,410"

Page 2, after line 17, insert:

**"SECTION 5. AMENDMENT.** Section 24-01-03 of the North Dakota Century Code is amended and reenacted as follows:

**24-01-03. Responsibility for state highway system.** The director is responsible for the construction, maintenance, and operation of the state highway system and ~~is authorized to~~ may enter ~~into~~ a cooperative agreement with any municipality for the construction, maintenance, or repair of any urban connecting street. The director may not divest the state from responsibility for the maintenance of any bridge over a navigable water of this state which is currently maintained by the state.

The jurisdiction, control, and duty of the state and municipality with respect to such urban connecting streets must be as follows:

1. The director has no authority to change or establish any grade of any such street without approval of the governing body of such municipality.
2. The municipality shall maintain at its own expense ~~maintain~~ all underground facilities in such streets and has the right to construct such additional underground facilities as may be necessary in such streets.
3. The municipality has the right to grant the privilege to open the surface of any such street, but all damage occasioned thereby must ~~promptly~~ be

repaired promptly by said municipality at its direction and without cost to the department.

4. The municipality has exclusive right to grant franchises over, beneath, and upon such streets.

**SECTION 6.** Section 24-02-40.1 of the North Dakota Century Code is created and enacted as follows:

**24-02-40.1. Grant or revenue anticipation financing.** Notwithstanding any other provision of law, the department, whenever needed, may arrange with any state-owned or private financing agency or underwriter, including the Bank of North Dakota, grant or revenue anticipation financing through the issuance of evidences of indebtedness on such terms and conditions as the department determines if construction funds on hand are insufficient to meet current obligations or to achieve cost-savings or efficiencies in road construction. The department may refund the evidences of indebtedness as often as it is advantageous to do so. Evidences of indebtedness may be sold at public or private sale and must mature not more than fifteen years from their date or dates, and the proceeds of the sale may be invested on such terms and conditions as the department determines. Grant or revenue anticipation financing must be in amounts no larger than can be repaid from moneys known or reasonably anticipated to be due and forthcoming. The grant or revenue anticipation financing may not be used in anticipation of increased federal aid highway grants or increased state highway user revenue funds, and the financing may not be obligated for road construction that cannot be financed from known sources of grants or revenue. The department may pledge any federal aid grants received or to be received for debt service and related issuance costs for evidences of indebtedness issued under this section directly to a trustee in trust for payment to holders of the evidences of indebtedness. The department may also pledge any biennially appropriated revenues for debt service on the evidences of indebtedness directly to a trustee in trust for payment to holders of the evidences of indebtedness. Any evidences of indebtedness issued under this section are not general obligations or debt of the state, the department, or any public officer or employee of the department or this state. The principal of and interest on the evidences of indebtedness are limited obligations payable solely from grants or revenues received or to be received by the department. The department may capitalize from proceeds of the evidences of indebtedness all expenses incidental to issuing the evidences of indebtedness, including any reserves for payment of the evidences of indebtedness.

**SECTION 7.** A new section to chapter 24-08 is created and enacted as follows:

**Medal of honor bridge.** A bridge replacing the bridge between Mandan and Bismarck presently known as the liberty memorial bridge is designated the medal of honor bridge upon the completion of the replacement bridge.

**SECTION 8. EMERGENCY.** Section 6 of this Act is declared to be an emergency measure."

Renumber accordingly

## STATEMENT OF PURPOSE OF AMENDMENT:

### Senate Bill No. 2012 - Department of Transportation - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Administration	\$27,227,294	(\$41,446)	\$27,185,848
Driver's and vehicle services	20,081,797	(33,091)	20,048,706
Highways	736,823,693	53,174,005	789,997,698
Fleet Services	43,280,168	(9,010)	43,271,158
Total all funds	\$827,412,952	\$53,090,458	\$880,503,410

Less estimated income	<u>827,412,952</u>	<u>53,090,458</u>	<u>880,503,410</u>
General fund	\$0	\$0	\$0
FTE	1,044.50	0.00	1,044.50

**Dept. 801 - Department of Transportation - Detail of Senate Changes**

	REDUCES COMPENSATION PACKAGE TO 3/4	ADDS FUNDING FROM GARVEE BONDS <sup>1</sup>	TOTAL SENATE CHANGES
Administration	(\$41,446)		(\$41,446)
Driver's and vehicle services	(33,091)		(33,091)
Highways	(325,995)	\$53,500,000	53,174,005
Fleet Services	<u>(9,010)</u>	<u>                    </u>	<u>(9,010)</u>
Total all funds	(\$409,542)	\$53,500,000	\$53,090,458
Less estimated income	<u>(409,542)</u>	<u>53,500,000</u>	<u>53,090,458</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

<sup>1</sup> Funding for the Highway 2 four-lane project and the Memorial Bridge project in Bismarck is added from grant anticipation revenue vehicle (GARVEE) bond proceeds. A section is added as an emergency authorizing the department to issue GARVEE bonds.

A new section is added requiring the department to continue to maintain bridges that it is currently maintaining over navigable waters in the state.