

**FIRST ENGROSSMENT
with Senate Amendments**

Sixtieth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1012

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the department of
2 transportation; to create and enact a new section to chapter 24-02 of the North Dakota Century
3 Code, relating to authority of the director of the department of transportation to join the
4 multistate highway transportation agreement; to amend and reenact section 57-40.3-10 of the
5 North Dakota Century Code, relating to motor vehicle excise tax collections; and to declare an
6 emergency.

7 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

8 **SECTION 1. BASE LEVEL FUNDING INFORMATION.** The amounts identified in this
9 section represent the base level funding component appropriated to the department of
10 transportation in section 3 of this Act as follows:

11 Salaries and wages	\$112,244,313
12 Operating expenses	143,537,016
13 Capital assets	656,868,519
14 Grants	<u>42,358,500</u>
15 Total special funds - Base level	\$955,008,348

16 **SECTION 2. FUNDING ADJUSTMENTS OR ENHANCEMENTS INFORMATION.** The
17 amounts identified in this section represent the funding adjustments or enhancements to the
18 base funding level for the department of transportation which are included in the appropriation
19 in section 3 of this Act as follows:

20 Salaries and wages	\$15,199,882
21 Operating expenses	31,160,647
22 Capital assets	(108,147,421)
23 Grants	<u>9,054,000</u>
24 Total special funds - Adjustments/enhancements	(\$52,732,892)

1 **SECTION 3. APPROPRIATION.** The funds provided in this section, or so much of the
2 funds as may be necessary, are appropriated from special funds derived from federal funds
3 and other income, to the department of transportation for the purpose of defraying the
4 expenses of its various divisions, for the biennium beginning July 1, 2007, and ending June 30,
5 2009, as follows:

6 Salaries and wages	\$127,444,195
7 Operating expenses	174,697,663
8 Capital improvements	548,721,098
9 Grants	<u>51,412,500</u>
10 Total special funds appropriation	\$902,275,456

11 **SECTION 4. APPROPRIATION - GRANT TO NELSON COUNTY.** There is
12 appropriated out of any moneys in the general fund in the state treasury, not otherwise
13 appropriated, the sum of \$550,000, or so much of the sum as may be necessary, to the
14 department of transportation for the purpose of providing a grant to Nelson County for phase
15 one of critical road and infrastructure projects, for the biennium beginning July 1, 2007, and
16 ending June 30, 2009.

17 **SECTION 5. FULL-TIME EQUIVALENT EMPLOYEES.** The department of
18 transportation is authorized to hire additional full-time equivalent positions for highway
19 construction in addition to those authorized by the legislative assembly when it is cost-effective
20 to hire additional positions for construction and maintenance of highways in lieu of entering into
21 contracts for these purposes. The department of transportation shall notify the office of
22 management and budget and report to the legislative council the additional full-time equivalent
23 positions hired.

24 **SECTION 6.** A new section to chapter 24-02 of the North Dakota Century Code is
25 created and enacted as follows:

26 **Multistate highway transportation agreement.** The director may join the multistate
27 highway transportation agreement to promote uniformity among participating jurisdictions in
28 vehicle size and weight standards. The legislative council shall appoint a member of the house
29 standing transportation committee and a member of the senate standing transportation
30 committee as the legislative members representing this state to the cooperating committee
31 formed by the agreement.

1 **SECTION 7. AMENDMENT.** Section 57-40.3-10 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **57-40.3-10. Transfer of revenue.** All moneys collected and received under this
4 chapter after moneys are deposited in the state aid distribution fund under section 57-39.2-26.1
5 must be transmitted monthly by the director of the department of transportation to the state
6 treasurer to be transferred and credited ~~to the general fund.~~ as follows:

7 1. The first fourteen million dollars received during a biennium must be deposited in
8 the state highway fund.

9 2. Amounts received in excess of the amounts allocated under subsection 1 must be
10 deposited in the state general fund.

11 **SECTION 8. EMERGENCY.** Of the funds appropriated in the capital improvements
12 line item in section 3 of this Act, \$25,098,000 relating to fleet services motor vehicle purchases
13 is declared to be an emergency measure.