

Sixty-third  
Legislative Assembly  
of North Dakota

ENGROSSED HOUSE BILL NO. 1033

Introduced by

Legislative Management

(Government Services Committee)

1 A BILL for an Act to require authorization of the purchase or lease of aircraft; to provide for the  
2 use of department of transportation airplanes; to provide for the sale of airplanes; and to provide  
3 an appropriation.

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

5 **SECTION 1.**

6 **Authorization to purchase or lease aircraft - Legislative assembly or budget section**  
7 **approval.**

8 A state agency or other entity of state government may not purchase or lease an aircraft  
9 without specific authorization from the legislative assembly or the budget section of the  
10 legislative management if the legislative assembly is not in session. This section does not apply  
11 to aircraft purchased or leased by the office of the adjutant general or the university of North  
12 Dakota school of aviation.

13 **SECTION 2.**

14 **Use of department of transportation airplanes.**

15 Upon request, the department of transportation shall provide air transportation services to  
16 other state agencies. Each agency using air transportation services from the department shall  
17 pay a user charge determined by the department of transportation which must be based upon  
18 the actual cost of operating the aircraft. The department shall give priority to requests for air  
19 transportation services from the attorney general's office when the request is for law  
20 enforcement purposes. The director of the department of transportation shall allow employees  
21 of other state agencies to operate the department's airplanes for official purposes if the  
22 employee is properly licensed and has the proper rating and type endorsement to operate the  
23 requested airplane.

1       **SECTION 3. SALE OR DISPOSAL OF DEPARTMENT OF TRANSPORTATION**

2       **AIRPLANES.** The director of the department of transportation shall sell or dispose of the  
3 department's 1977 piper cheyenne airplane and the department's 1975 cessna skymaster  
4 airplane. The proceeds from the sale or disposal of the airplanes must be used for replacement  
5 airplane purchases as provided in section 6 of this Act. After June 30, 2014, the department  
6 may not use any funds appropriated by the legislative assembly to maintain or operate the  
7 department's 1977 piper cheyenne airplane or the department's 1975 cessna skymaster  
8 airplane.

9       **SECTION 4. DISPOSAL OF ATTORNEY GENERAL'S OFFICE AIRPLANE.** The attorney  
10 general's office shall sell or dispose of the office's 1965 beechcraft baron airplane. The  
11 proceeds from the sale of the airplane must be retained by the attorney general's office and  
12 used in accordance with the agreement entered by the office to obtain the airplane. After  
13 June 30, 2014, the office may not use any funds appropriated by the legislative assembly to  
14 maintain or operate the airplane.

15       **SECTION 5. NORTH DAKOTA STATE UNIVERSITY AIRPLANE.** After June 30, 2014,  
16 North Dakota state university may not use any funds appropriated by the legislative assembly,  
17 including funds from continuing appropriations authorized by the legislative assembly, for the  
18 purpose of leasing an airplane.

19       **SECTION 6. APPROPRIATION - DEPARTMENT OF TRANSPORTATION - AIRPLANE**

20       **REPLACEMENT.** There is appropriated out of any moneys in the general fund in the state  
21 treasury, not otherwise appropriated, the sum of \$4,500,000, or so much of the sum as may be  
22 necessary, to the department of transportation for the purpose of purchasing replacement  
23 airplanes for the department's airplane fleet, for the biennium beginning July 1, 2013, and  
24 ending June 30, 2015. The appropriation provided in this section must be reduced by an  
25 amount equal to the total proceeds received from the sale or disposal of department airplanes  
26 as provided in section 3 of this Act. The funding provided in this section is considered a  
27 one-time funding item.