

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2012

That the House recede from its amendments as printed on pages 1208-1211 of the Senate Journal and pages 1331-1335 of the House Journal and that Senate Bill No. 2012 be amended as follows:

Page 1, line 3, replace "and" with "to provide for disposition of maintenance section sites;"

Page 1, line 4, after "exemptions" insert "; to provide for studies; and to provide for reports"

Page 1, replace line 13 with:

"Salaries and wages	\$207,778,278	(\$6,299,937)	\$201,478,341"
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Page 1, replace lines 15 through 18 with:

"Capital assets	700,081,402	71,020,449	771,101,851
Grants	<u>62,918,030</u>	<u>4,610,000</u>	<u>67,528,030</u>
Total special funds	\$1,266,540,461	\$2,949,407	\$1,269,489,868
Full-time equivalent positions	1,080.50	(33.50)	1,047.00

SECTION 2. HEALTH INSURANCE INCREASE. The salaries and wages line item in section 1 of this Act includes the sum of \$2,702,395 from other funds for increases in employee health insurance premiums from \$1,130 to \$1,241 per month."

Page 2, line 16, replace "\$5,700,000" with "\$16,300,000"

Page 2, remove lines 20 through 25

Page 3, after line 6, insert:

"SECTION 8. DISPOSITION OF MAINTENANCE SECTION SITES.

Notwithstanding any other provision of law, the department of transportation may discontinue operations of department maintenance section sites in New England, Starkweather, Fessenden, Courtenay, Gackle, Litchville, Finley, and Mayville as provided in this section.

1. During the biennium beginning July 1, 2017, and ending June 30, 2019, the department may not dispose of any real property assigned to a section site where operations are being discontinued.
2. The department shall consult with representatives of the political subdivisions in which the section site is located, in the following order: first with the county, second with the city, and third with the township. If requested by any of the political subdivisions, the department shall negotiate a lease agreement with that political subdivision regarding the use of the section site and facilities. The lease agreement must address, at a minimum, the following:
 - a. The political subdivision may use the department's maintenance site and building, road oil tank, and shop equipment contained in the building. The political subdivision must be responsible for all routine maintenance and utility costs.

- b. If requested by the political subdivision, the department may transfer ownership of an equipped snow plow to the political subdivision. The snow plow must be one that the department intends to dispose of as part of its equipment replacement schedule.
 - c. The department may charge a reasonable fee to the political subdivision under the lease.
 - d. The department shall retain the use of salt buildings located on the property, the right to park one vehicle inside the maintenance building during a major winter storm, the use of an electrical outlet to plug in various vehicles for wintertime loading of deicing materials, and the right to use a portion of the site for a salt and sand pile for winter snow and ice control operations.
 - e. If an emergency occurs in or around a section site, and the department is unable to respond, the political subdivision may agree to have an individual available to respond to the emergency. The political subdivision may establish a process that allows emergency response teams to contact the political subdivision to allow it to respond to an emergency occurring within the area currently served by the section site. The response may require the political subdivision to provide snow and ice control on the state highway system for an emergency situation.
3. If the department does not enter a lease agreement for a section site during the biennium beginning July 1, 2017, and ending June 30, 2019, the department may dispose of the section site property in accordance with state law after June 30, 2019.
 4. If the department has an employee whose home residence is located within the vicinity of the maintenance section the department intends to discontinue, the department shall locate one of its snow plows at or near the maintenance section site during a major winter storm event from November 1 through March 31 of each fiscal year."

Page 4, after line 17, insert:

"SECTION 10. DEPARTMENT OF TRANSPORTATION STUDY - SNOW AND ICE CONTROL SERVICES - REPORT TO LEGISLATIVE MANAGEMENT. During the 2017-18 interim, the department of transportation shall study the manner in which it provides snow and ice control services on the state highway system, including the existing costs for these services and any potential savings available in providing these services. Based on its findings, the department shall determine the most efficient and effective manner in which to provide snow and ice control services. The department shall provide a report to the legislative management before July 1, 2018, regarding the results of the study.

SECTION 11. DEPARTMENT OF TRANSPORTATION STUDY - CONSOLIDATION OF SERVICES - REPORT TO LEGISLATIVE MANAGEMENT - REPORT TO SIXTY-SIXTH LEGISLATIVE ASSEMBLY. During the 2017-18 interim, the department of transportation shall study options to consolidate transportation facilities within Williams County and the Williston district headquarters. The department shall provide the final report, including the results of the study, to the legislative management before July 1, 2018. If the results of the study determine that it is

beneficial to consolidate facilities, the department may proceed with consolidation efforts. Before the completion of the study and the determination of whether the consolidation of facilities is beneficial, the department may not construct any new buildings at the Williston district headquarters. The department shall provide reports to the appropriations committees of the sixty-sixth legislative assembly regarding the study and the outcomes of the study.

SECTION 12. LEGISLATIVE MANAGEMENT STUDY - TRANSPORTATION FUNDING. During the 2017-18 interim, the legislative management shall consider studying the funding mechanisms and options available to the department of transportation, political subdivisions, and public transportation providers, for road construction, maintenance, other transportation infrastructure needs, and transit services. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-sixth legislative assembly.

SECTION 13. DEPARTMENT OF TRANSPORTATION FEES - REPORT TO BUDGET SECTION. The department of transportation shall report to the legislative management's budget section by September 30, 2017, and by September 30, 2018, regarding all fees charged by the department in comparison to the actual cost of providing the services for which the fee is charged.

SECTION 14. TELECOMMUNICATIONS INFRASTRUCTURE ON HIGHWAY RIGHTS OF WAY - LIMITATION - DEPARTMENT OF TRANSPORTATION AND INFORMATION TECHNOLOGY DEPARTMENT STUDY - REPORT. Prior to the department of transportation permitting any nonstate owned, controlled, or leased wireless telecommunication infrastructure used for wireless transmission of voice, data, images, or other signals or information within state highway rights of way, the department of transportation and the information technology department shall study, during the 2017-18 interim, the benefits of allowing wireless telecommunication infrastructure within state highway rights of way and what, if any, requirements of allowing the installation may be in the public interest. The department of transportation and the information technology department shall report the results of the study to the legislative management by June 30, 2018."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2012 - Department of Transportation - Conference Committee Action

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$207,778,278	\$202,085,692	(\$607,351)	\$201,478,341	\$201,874,602	(\$396,261)
Operating expenses	295,762,751	229,381,646		229,381,646	229,381,646	
Capital assets	700,081,402	770,705,590	396,261	771,101,851	770,705,590	396,261
Grants	62,918,030	72,528,030	(5,000,000)	67,528,030	67,528,030	
Total all funds	\$1,266,540,461	\$1,274,700,958	(\$5,211,090)	\$1,269,489,868	\$1,269,489,868	\$0
Less estimated income	1,266,540,461	1,274,700,958	(5,211,090)	1,269,489,868	1,269,489,868	0
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	1080.50	1049.00	(2.00)	1047.00	1044.00	3.00

Department No. 801 - Department of Transportation - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Increases ¹	Removes Funding for a Community Enhancement Program ²	Removes the 2 FTE Administrator Positions ³	Total Conference Committee Changes
Salaries and wages	(\$211,090)		(\$396,261)	(\$607,351)
Operating expenses				
Capital assets			396,261	396,261
Grants		(5,000,000)		(5,000,000)
Total all funds	(\$211,090)	(\$5,000,000)	\$0	(\$5,211,090)
Less estimated income	(211,090)	(5,000,000)	0	(5,211,090)
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	(2.00)	(2.00)

¹ Funding for employee health insurance is adjusted to reflect the updated premium amount of \$1,241 per month, the same as the House version.

² Funding of \$5 million for a North Dakota community enhancement program is removed, the same as the House version. The Senate included \$5 million for this program as recommended by Governor Burgum.

³ Two FTE administrator positions are removed. Funding of \$396,261 for the positions is transferred from the salaries and wages line item to the capital assets line item. The House removed 5 FTE administrative positions but left the funding in the salaries and wages line item.

This amendment also:

- Adds a section identifying the cost of the health insurance premium increase, the same as the House version.
- Increases the use of enhanced state highway investment funding transferred from the general fund to the highway fund by the 2015 Legislative Assembly for matching federal highway construction funds during the 2017-19 biennium from \$5.7 million to \$16.3 million, the same as the House version. The Senate authorized the use of \$5.7 million.
- Removes a section authorizing the use of \$5 million in enhanced state highway investment funding transferred from the general fund to the highway fund by the 2015 Legislative Assembly for the North Dakota community enhancement program during the 2017-19 biennium, the same as the House version.
- Adds a section directing the department to consult with political subdivisions in the areas where highway maintenance section sites may be closed. The House included a similar section.
- The conference committee did not include a section included in the House version to amend North Dakota Century Code Section 39-01-09, relating to parking meters, and providing that 20 percent of the revenue generated from parking meters, except those on property of state higher education institutions be deposited in the public transportation fund.
- Adds a section requiring the department to study the manner in which it provides snow and ice control services and to provide a report to the Legislative Management, the same as the House version.
- Adds a section requiring the department to study options to consolidate transportation facilities within Williams County and the Williston district headquarters and to provide a report to the Legislative Management, and the 2019 Legislative Assembly, the same as the House version.
- Adds a section providing for a Legislative Management study of transportation funding, the same as the House version.
- Adds a section directing the department to report annually to the Budget Section during the 2017-18 interim, regarding all fees charged by the agency in comparison to the actual cost incurred for the resulting services provided, the same as the House version.

- The conference committee did not include a section added by the House to prohibit the department from closing a driver's license service site that processed 600 or more transactions during the prior state fiscal year.
- A section is added requiring the department and the Information Technology Department to study the benefits of allowing wireless telecommunication infrastructure within state highway rights of way before providing permits for the construction of wireless telecommunication infrastructure.