

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 provide for a transfer; and to provide exemptions.

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

4 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
5 as may be necessary, are appropriated out of any moneys in the general fund in the state
6 treasury, not otherwise appropriated, and from special funds derived from federal funds and
7 other income, to the department of transportation for the purpose of defraying the expenses of
8 the department of transportation, for the biennium beginning July 1, 2015, and ending June 30,
9 2017, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
10			
11			
12	Salaries and wages	\$187,477,585	\$25,032,389
13	Accrued leave payments	7,280,897	(7,280,897)
14	Operating expenses	376,721,715	96,541,036
15	Capital assets	727,911,207	700,685,753
16	Grants	<u>79,788,030</u>	<u>(15,870,000)</u>
17	Total all funds	\$1,379,179,434	\$799,108,281
18	Less estimated income	<u>1,379,179,434</u>	<u>798,108,281</u>
19	Total general fund	\$0	\$1,000,000
20	Full-time equivalent positions	1,079.50	2.00
			1,081.50

21 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**

22 **SIXTY-FIFTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
23 items approved by the sixty-third legislative assembly for the 2013-15 biennium and the
24 2015-17 one-time funding items included in the appropriation in section 1 of this Act:

Sixty-fourth
Legislative Assembly

1	<u>One-Time Funding Description</u>	<u>2013-15</u>	<u>2015-17</u>
2	General fund transfer to highway fund	\$541,600,000	\$0
3	Enhanced state highway investments	1,161,600,000	904,115,558
4	TIGER III federal railroad program	10,000,000	0
5	General license plate issue	6,820,000	0
6	Contingent general fund transfer to	1,100,000	0
7	public transportation fund		
8	Airplane replacement	4,500,000	0
9	Transportation distribution to oil-producing counties	160,000,000	0
10	Transportation distribution to non-oil-producing counties	120,000,000	0
11	Recreational road access	0	5,000,000
12	Vehicle registration and titling system replacement	0	2,500,000
13	Motor coach reimbursement	<u>0</u>	<u>1,000,000</u>
14	Total all funds	\$2,005,620,000	\$912,615,558
15	Total special fund	<u>541,600,000</u>	<u>911,615,558</u>
16	Total general fund	\$1,464,020,000	\$1,000,000

17 The 2015-17 one-time funding amounts are not part of the entity's base budget for the 2017-19
18 biennium. The department of transportation shall report to the appropriations committees of the
19 sixty-fifth legislative assembly on the use of the one-time funding for the biennium beginning
20 July 1, 2015, and ending June 30, 2017.

21 **SECTION 3. LINE ITEM TRANSFERS.** The director of the department of transportation
22 may transfer between the salaries and wages, operating, capital assets, and grants line items in
23 section 1 of this Act when it is cost-effective for construction and maintenance of highways. The
24 department of transportation shall notify the office of management and budget of any transfers
25 made under this section.

26 **SECTION 4. EXEMPTION - HIGHWAY-RAIL GRADE CROSSING SAFETY PROJECTS**
27 **FUND.** The amount appropriated to the department of transportation from the highway-rail
28 grade crossing safety projects fund, as contained in section 4 of chapter 43 of the 2013 Session
29 Laws, is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this
30 appropriation are available to the department highway-rail grade crossing safety projects during
31 the biennium beginning July 1, 2015, and ending June 30, 2017.

1 **SECTION 5. ENHANCED STATE HIGHWAY INVESTMENTS - CARRYOVER**

2 **AUTHORITY.** Section 54-44.1-11 does not apply to funding of \$904,115,558 in the capital
3 assets line item relating to enhanced state highway investments in section 1 of this Act. Any
4 funds not spent by June 30, 2017, must be continued into the biennium beginning July 1, 2017,
5 and ending June 30, 2019, and may be expended only for enhanced state highway
6 investments.

7 **SECTION 6. EXEMPTION - STATE DISASTER RELIEF FUND - ROAD GRADE RAISING**

8 **GRANTS.** The amount appropriated to the department of transportation from the state disaster
9 relief fund for road grade raising grants, as contained in section 14 of chapter 579 of the 2011
10 Session Laws, is not subject to the provisions of section 54-44.1-11. Any unexpended funds
11 from this appropriation are available to the department to provide road grade raising grants
12 during the biennium beginning July 1, 2015, and ending June 30, 2017.

13 **SECTION 7. PAYBACK AND REALLOCATION OF FEDERAL AID.** Notwithstanding any
14 other provisions of law, the department of transportation may repay the United States
15 department of transportation for previous related expenditures out of current biennium
16 appropriations so that the department may re-obligate the federal aid to other federal aid
17 projects.