

Sixty-first  
Legislative Assembly  
of North Dakota

## HOUSE BILL NO.

Introduced by

Representative Onstad

1 A BILL for an Act to amend and reenact section 24-02-37 of the North Dakota Century Code,  
2 relating to use of the special road fund.

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

4 **SECTION 1. AMENDMENT.** Section 24-02-37 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **24-02-37. State highway fund - Priorities for expenditure - Use of investment**  
7 **income.** The state highway fund, created by law and not otherwise appropriated and allocated,  
8 must be applied and used for the purposes named in this section, as follows:

- 9 1. Except for investment income as provided in subsection 3, the fund must be  
10 applied in the following order of priority:
- 11 a. The cost of maintaining the state highway system.
- 12 b. The cost of construction and reconstruction of highways in the amount  
13 necessary to match, in whatever proportion may be required, federal aid  
14 granted to this state by the United States government for road purposes in  
15 North Dakota.
- 16 c. Any portion of the highway fund not allocated as provided in subdivisions a  
17 and b may be expended for the construction of state highways without federal  
18 aid or may be expended in the construction, improvement, or maintenance of  
19 such state highways.
- 20 2. All funds heretofore appropriated or hereafter appropriated or transferred to the  
21 department, whether earmarked or designated for special projects or special  
22 purposes or not, must be placed or transferred into a single state highway fund in  
23 the office of the state treasurer and any claims for money expended by the  
24 department upon warrants prepared and issued by the office of management and

1 budget and signed by the state auditor under this title must be paid out of the state  
2 highway fund by the state treasurer; provided, however, that the commissioner  
3 shall keep and maintain complete and accurate records showing that all  
4 expenditures have been made in accordance with legislative appropriations and  
5 authorizations.

6 3. The state treasurer shall deposit the moneys in the state highway fund in an  
7 interest-bearing account at the Bank of North Dakota. The state treasurer shall  
8 deposit ~~forty~~ one hundred percent of the income derived from the interest-bearing  
9 account in a special interest-bearing account in the state treasury known as the  
10 special road fund. The special road fund may be used, within the limits of  
11 legislative appropriation, exclusively for the construction and maintenance of  
12 access roads to and roads within recreational, tourist, and historical areas as  
13 designated by the special road committee. A political subdivision or state agency  
14 may request funds from the special road fund by applying to the committee on  
15 forms designated by the committee. The committee may require the political  
16 subdivision or state agency to contribute to the cost of the project as a condition of  
17 any expenditure authorized from the special road fund. ~~Any moneys in the fund~~  
18 ~~not obligated by the special road committee on June thirtieth of each~~  
19 ~~odd-numbered year must revert to the state highway fund. Any moneys in the fund~~  
20 not obligated by the special road committee by June thirtieth of each  
21 odd-numbered year shall be held for an additional two years after which they must  
22 revert to the state highway trust fund.