

Introduced by

1 A BILL for an Act to provide for the creation of a central aircraft management system for state-  
2 owned or state-leased aircraft and to create a central aircraft management fund; and to provide  
3 for the transfer of aircraft to the central aircraft management system.

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

5 **SECTION 1.**

6 **Definitions.**

7 As used in this chapter unless the context otherwise requires:

8 1. "Aircraft" means an airplane or a helicopter.

9 2. "Department" means the department of transportation.

10 3. "Director" means the director of the department of transportation or the director's  
11 designee.

12 4. "State agency" means an agency, board, bureau, commission, department, institution,  
13 office, or any other entity of the executive branch of state government, excluding:

14 a. The office of the adjutant general; and

15 b. Entities under the control of the state board of higher education.

16 **Central aircraft management system for state-owned aircraft.**

17 1. The director shall establish within the department a central aircraft management  
18 system to regulate the operation, maintenance, and management of all aircraft owned  
19 or leased by the state for use by state agencies subject to this chapter. The director  
20 shall provide a uniform method of recording and reporting the utilization, aircraft hours,  
21 and other costs of operating the aircraft. The director, within legislative authorizations,  
22 may employ personnel necessary to carry out the duties prescribed by this Act. The  
23 director shall advise the director of the office of management and budget regarding the  
24 need to acquire or dispose of system aircraft.

1       2. Every state agency must use the central aircraft management system for air-related  
2       transportation or other aircraft operations. However, a state agency may authorize an  
3       officer or employee to use a private passenger airplane pursuant to section 54-06-09  
4       or a commercial air service. Upon agreement between a state agency and the director,  
5       the director may purchase or lease specialized aircraft for use by the agency that  
6       meets specifications set by the agency. The director shall enter agreements with the  
7       highway patrol, aeronautics commission, and game and fish department regarding the  
8       exclusive use of specialized aircraft operated by these agencies.

9       **User charges - Incidental revenues.**

10       Each agency using the central aircraft management system shall pay a user charge to the  
11       director. The director shall determine the user charge which must be based upon the actual cost  
12       of operating the aircraft, including applicable pilot costs and other operational costs,  
13       depreciation costs, and estimated aircraft replacement costs. The user charges and any  
14       proceeds from insurance claims, aircraft sales, commercial refunds or rebates, or similarly  
15       derived proceeds must be remitted to the state treasurer for deposit in the central aircraft  
16       management fund.

17       **Central aircraft management fund.**

18       The central aircraft management fund is a special fund in the state treasury. Moneys in the  
19       fund are available, subject to legislative appropriations, to the department of transportation for  
20       expenses related to the operation of the central aircraft management system.

21       **SECTION 2. TRANSFER OF STATE-OWNED OR STATE-LEASED AIRCRAFT.** The title or  
22       other documents representing ownership of aircraft owned or leased by a state agency subject  
23       to section 1 of this Act must be transferred to the director of the department of transportation on  
24       July 1, 2013.