

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1033

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to require authorization of the purchase or lease of aircraft; to provide for the use of department of transportation airplanes; to provide for the sale of airplanes; and to provide an appropriation.

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

**SECTION 1.**

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

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

**SECTION 2.**

**Use of department of transportation airplanes.**

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

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

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

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

**SECTION 6. APPROPRIATION - DEPARTMENT OF TRANSPORTATION - AIRPLANE REPLACEMENT.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$4,500,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of purchasing replacement airplanes for the department's airplane fleet, for the biennium beginning July 1, 2013, and ending June 30, 2015. The appropriation provided in this section must be reduced by an amount equal to the total proceeds received from the sale or disposal of department airplanes as provided in section 3 of this Act. The funding provided in this section is considered a one-time funding item."

Renumber accordingly