

**FISCAL NOTE**  
**Requested by Legislative Council**  
**01/15/2013**

Bill/Resolution No.: SB 2153

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2011-2013 Biennium		2013-2015 Biennium		2015-2017 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>				\$2,500,000		\$2,500,000
<b>Expenditures</b>				\$6,800,000		\$6,800,000
<b>Appropriations</b>				\$2,500,000		\$2,500,000

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2011-2013 Biennium	2013-2015 Biennium	2015-2017 Biennium
<b>Counties</b>		\$(1,500,000)	\$(1,500,000)
<b>Cities</b>		\$(800,000)	\$(800,000)
<b>School Districts</b>			
<b>Townships</b>		\$(200,000)	\$(200,000)

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill allows taxes collected on sales of dyed diesel fuel to railroads to be placed in the highway-rail grade crossing safety projects fund for qualifying projects. The taxes are currently placed in the highway tax distribution fund.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Taxes on the sale of dyed diesel fuel to railroads are estimated to be \$6.8 million for the 2013-2015 biennium. This money would be placed in the highway-rail grade crossing safety projects fund and administered by the NDDOT. A loss in distributions from the highway tax distribution fund would occur as follows: NDDOT 61.3% - \$4,200,000; Counties 22% - \$1,500,000; Cities 12.5% - \$800,000; Townships 2.7% - \$200,000; Transit 1.5% - \$100,000. Grants approved by this bill for a single crossing may not exceed \$75,000 and all grants within a city may not exceed a cumulative amount of \$250,000. This bill provides for a continuing appropriation.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

Under this bill, an estimated \$6.8 million that was previously placed in the highway tax distribution fund would now be placed in the highway-rail grade crossing safety projects fund. A loss in revenues to the highway tax distribution would occur and affect the following entities as follows: NDDOT 61.3% - \$4,200,000; Counties 22% - \$1,500,000; Cities 12.5% - \$800,000; Townships 2.7% - \$200,000; Transit 1.5% - \$100,000.

- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

NDDOT would incur expenditures for grants under this program in an estimated amount of \$6.8 million.

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

NDDOT would require an addition to its appropriation of \$2.5 million (\$6.8 million revenue to the highway-rail grade crossing safety projects fund less the \$4.2 million ( $\$6.8 \times 61.3\%$ ) already included in the NDDOT budget related to the NDDOT's share of the Highway Tax Distribution Fund and \$100,000 ( $\$6.8 \times 1.5\%$ ) already included in the NDDOT budget related to the State Public Transportation Fund (the Public Transportation Fund's share of the Highway Tax Distribution Fund)).

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