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Prepared by the Legislative Council
staff for Senator Dwyer
February 13, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

SENATE BILL NO. 2012

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the department of
2 transportation: to amend and reenact section 49-17.1-05 of the North Dakota Century Code,
3 relating to rail line loan programs; to provide a continuing appropriation; and to provide an
4 exemption.

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

6 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
7 as may be necessary, are appropriated from other funds derived from special funds and federal
8 funds, to the department of transportation for the purpose of defraying the expenses of the
9 department of transportation, for the biennium beginning July 1, 2025, and ending June 30,
10 2027, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
13 Salaries and wages	\$219,279,648	\$0	\$219,279,648
14 Operating expenses	316,256,474	0	316,256,474
15 Capital assets	1,101,395,065	0	1,101,395,065
16 Grants	<u>112,821,458</u>	<u>0</u>	<u>112,821,458</u>
17 Total other funds	\$1,749,752,645	\$0	\$1,749,752,645
18 Full-time equivalent positions	1,001.00	0.00	1,001.00

19 **SECTION 2. EXEMPTION - LINE ITEM TRANSFERS.** Notwithstanding section 54-16-04,
20 the director of the office of management and budget shall transfer appropriation authority

1 among the salaries and wages, operating expenses, capital assets, and grants line items in
2 section 1 of this Act as requested by the director of the department of transportation when it is
3 cost-effective for construction and maintenance of highways. The department of transportation
4 shall notify the legislative council of any transfers made pursuant to this section.

5 **SECTION 3. AMENDMENT.** Section 49-17.1-05 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **49-17.1-05. Subsidy of railway lines - Continuing appropriation.**

8 The department, with the approval of the commission, may provide financial assistance,
9 ~~within the limits of funds appropriated by the legislative assembly,~~ for the continuation of
10 operations and maintenance of any railroad within the state, as provided for in the Railroad
11 Revitalization and Regulatory Reform Act of 1976 [Pub. L. 94-210; 90 Stat. 149; 49 U.S.C. 1651
12 et seq.], or other relevant federal legislation. Moneys in the state rail fund are appropriated to
13 the department on a continuing basis for distributions authorized under this section. The
14 department or the commission may act as the agent in cooperation with the federal
15 government, any local or regional transportation authority, local governmental units, any group
16 of rail users, or any person in any rail service assistance program.

17 **SECTION 4. DEPARTMENT OF TRANSPORTATION FACILITY EQUIPMENT**

18 **EXPENSES.** Notwithstanding any other provision of law, the director of the department of
19 transportation may expend funds to purchase basic workplace appliances, limited to coffee
20 makers, microwaves, and refrigerators, for local department maintenance facilities for the
21 biennium beginning July 1, 2025, and ending June 30, 2027.

22 **SECTION 5. REST AREA COOPERATIVE AGREEMENT.** During the biennium beginning
23 July 1, 2025, and ending June 30, 2027, the director of the department of transportation shall
24 review options to enter a cooperative agreement pursuant to section 24-02-02.5 to jointly
25 administer a rest area at the Theodore Roosevelt national park painted canyon visitor center.
26 The director may expend moneys from the state highway fund within the limits of legislative
27 appropriations for operational support of the facility and for facility improvements to support
28 year-round operations of the facility.

29 **SECTION 6. EXEMPTION - UNEXPENDED APPROPRIATIONS.** The following
30 appropriations are not subject to the provisions of section 54-44.1-11 and may be continued into
31 the biennium beginning July 1, 2025, and ending June 30, 2027:

Sixty-ninth
Legislative Assembly

- 1 1. The sum of \$100,000,000 appropriated from special funds for the purpose of road and
2 bridge construction projects in subsection 2 of section 13 of chapter 15 of the 2021
3 Session Laws;
- 4 2. The sum of \$55,000,000 appropriated from federal funds to match state bond
5 proceeds in section 5 of chapter 15 of the 2021 Session Laws;
- 6 3. The sum of \$317,000,000 appropriated from federal funds for state, county, and
7 township road and bridge projects in section 7 of chapter 548 of the 2021 Session
8 Laws;
- 9 4. The sum of \$61,700,060 appropriated from federal funds for surface transportation
10 grants in subdivision 10 of section 1 of chapter 27 of the 2021 Session Laws;
- 11 5. The sum of \$13,660,000 appropriated from special funds for information technology
12 projects in section 1 of chapter 40 of the 2021 Session Laws;
- 13 6. The sum of \$9,125,000 appropriated from the general fund in the operating expenses
14 line item relating to information technology projects in section 1 of chapter 12 of the
15 2023 Session Laws;
- 16 7. The sum of \$2,500,000 appropriated from special funds to match funding from the
17 state of Minnesota and other sources for studies, preliminary engineering, and
18 environmental studies to address northern Red River valley infrastructure affected by
19 flooding;
- 20 8. The sum of \$5,000,000 appropriated from special funds for an environmental study of
21 a portion of United States highway 52, in section 1 of chapter 12 of the 2023 Session
22 Laws;
- 23 9. The sum of \$757,000 included in the deferred maintenance funding pool line item and
24 transferred to the department of transportation pursuant to section 9 of chapter 640 of
25 the 2023 special session session laws; and
- 26 10. The sum of \$82,200,000 appropriated from special funds for flexible transportation
27 fund projects in section 1 of chapter 12 of the 2023 Session Laws.

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