

April 6, 2009

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2012

Page 1, line 4, after the semicolon insert "to create and enact a new section to chapter 24-01 of the North Dakota Century Code, relating to the name of United States highway 85;"

Page 1, line 6, remove "and" and after "transfer" insert "; to provide for legislative council studies; and to provide legislative intent"

Page 1, line 16, replace "24,194,030" with "20,047,015" and replace "151,520,269" with "147,373,254"

Page 1, line 17, replace "29,107,351" with "16,729,914" and replace "203,805,014" with "191,427,577"

Page 1, line 18, replace "96,855,896" with "39,167,450" and replace "645,576,994" with "587,888,548"

Page 1, line 20, replace "166,810,878" with "92,597,980" and replace "1,069,968,378" with "995,755,480"

Page 1, line 21, replace "3.00" with "2.00" and replace "1,055.50" with "1,054.50"

Page 1, replace lines 22 through 24 with:

"SECTION 2. APPROPRIATION - FEDERAL FISCAL STIMULUS FUNDS - ADDITIONAL FUNDING APPROVAL. The funds provided in this section, or so much of the funds as may be necessary, are appropriated from federal funds made available to the state under the federal American Recovery and Reinvestment Act of 2009, not otherwise appropriated, to the department of transportation, for the period beginning with the effective date of this Act and ending June 30, 2011, as follows:

| | |
|----------------------------------|------------------|
| Highway infrastructure | \$170,126,497 |
| Grants to rural transit programs | <u>5,956,174</u> |
| Total federal funds | \$176,082,671 |

The department of transportation may seek emergency commission and budget section approval under chapter 54-16 for authority to spend any additional federal funds received under the federal American Recovery and Reinvestment Act of 2009 in excess of the amounts appropriated under this section, for the period beginning with the effective date of this Act and ending June 30, 2011.

Any federal funds appropriated under this section are not a part of the agency's 2011-13 base budget. Any program expenditures made with these funds will not be replaced with state funds after the federal American Recovery and Reinvestment Act of 2009 funds are no longer available.

SECTION 3. APPROPRIATION - CONTINGENCY FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$20,000,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of matching federal highway construction funds, for the biennium beginning July 1, 2009, and ending June 30, 2011. Moneys appropriated under this section may only be spent subject to budget section approval to match federal highway construction funds or federal emergency relief funds

if amounts appropriated in section 1 of this Act are not sufficient. The funds provided in this section are considered one-time funding.

SECTION 4. TRANSFER - TOWNSHIP HIGHWAY AID FUND. The state treasurer shall transfer the sum of \$1,000,000 from the public transportation fund to the township highway aid fund, for the biennium beginning July 1, 2009, and ending June 30, 2011."

Page 2, remove lines 1 through 29

Page 3, replace lines 4 through 10 with:

"SECTION 6. A new section to chapter 24-01 of the North Dakota Century Code is created and enacted as follows:

Theodore Roosevelt expressway - United States highway 85.
Notwithstanding any previous designation, the department shall designate United States highway 85 as the Theodore Roosevelt expressway and at a minimum shall place signs along the highway designating that name and may use any appropriate signs donated to the department."

Page 13, after line 13, insert:

"SECTION 13. LEGISLATIVE COUNCIL STUDY - FARGO DISTRICT OFFICE SITE. During the 2009-10 interim, the legislative council shall consider studying the feasibility and desirability of relocating the Fargo district office facility. The study, if conducted, must include a review of the estimated value of the current site property, the best use of the current property, and potential locations for a new district office facility. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-second legislative assembly.

SECTION 14. LEGISLATIVE COUNCIL STUDY - FEDERAL TRANSPORTATION MATCHING FUNDS. During the 2009-10 interim, the legislative council shall consider studying the potential options for matching federal highway construction funding. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-second legislative assembly.

SECTION 15. LEGISLATIVE INTENT - HIGHWAY-RELATED FUNDING ALLOCATIONS. It is the intent of the sixty-first legislative assembly that the department of transportation allocate highway-related funding to township, city, county, and state road projects to the extent possible in a proportion similar to distribution proportions of state highway tax distribution fund allocations to these entities, for the biennium beginning July 1, 2009, and ending June 30, 2011."

Page 13, after line 15, insert:

"SECTION 17. EMERGENCY. Section 2 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT - LC 98031.0211 FN 2

A copy of the statement of purpose of amendment is attached.