

PROPOSED AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1358

Page 1, line 1, remove "a new section to chapter 23-01 and"

Page 1, line 3, after "reenact" insert "paragraph 1 of subdivision f of subsection 1 of section 15.1-27-04.1 of the North Dakota Century Code, as created by House Bill No. 1319, as approved by the sixty-third legislative assembly, and"

Page 1, line 5, remove "; to provide a continuing appropriation"

Page 1, line 5, remove "; to provide a"

Page 1, line 6, remove "statement of legislative intent"

Page 1, line 6, after the first semicolon insert "and"

Page 1, line 6, remove "; and to declare an emergency"

Page 1, remove lines 8 through 24

Page 2, replace lines 1 through 22 with:

**"SECTION 1. AMENDMENT.** Paragraph 1 of subdivision f of subsection 1 of section 15.1-27-04.1 of the North Dakota Century Code, as created by House Bill No. 1319, as approved by the sixty-third legislative assembly, is amended and reenacted as follows:

- (1) Seventy-five percent of all revenue received by the school district and reported under code 2000 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08 and mineral revenue received by the school district by direct allocation from the state treasurer and not reported under code 2000 of the North Dakota school district financial accounting and reporting manual;"

Page 3, line 9, replace "seven" with "three"

Page 3, line 9, replace "fifty" with "seventy-five"

Page 3, line 18, replace "two" with "one"

Page 3, line 18, replace "fifty" with "twenty-five"

Page 3, remove line 21

Page 3, line 22, remove "treasurer"

Page 3, line 22, overstrike "retain seventy-five percent of the allocation and deposit that amount in"

Page 3, line 23, overstrike "a special account established for that school district."

Page 3, line 23, remove "Up"

Page 3, line 23, overstrike "to fifty percent of the"

Page 3, line 24, overstrike "funds deposited in the special account under this subdivision"

Page 3, line 24, remove "may"

Page 3, line 24, overstrike "be released by"

Page 3, overstrike lines 25 and 26

Page 3, line 27, overstrike "special account"

Page 3, line 27, remove "that"

Page 3 line 27, overstrike "are not committed or expended for school construction"

Page 3, line 28, overstrike "projects"

Page 3, line 28, remove "may be released to the school district by the state treasurer upon"

Page 3, remove lines 29 through 31

Page 4, remove lines 1 through 24

Page 4, line 25, replace "e." with "c."

Page 4, line 26, overstrike "one" and insert immediately thereafter "two"

Page 4, line 26, after the semicolon insert "and"

Page 4, remove lines 27 through 30

Page 4, overstrike line 31

Page 5, line 1, replace "g." with "d."

Page 5, line 1, remove "If there are no remaining"

Page 5, remove lines 2 through 6

Page 5, line 11, overstrike "the next one"

Page 5, line 11, replace "four" with "all annual revenue exceeding five"

Page 5, line 11, overstrike "seventy-five" and insert immediately thereafter "twenty-five"

Page 5, line 12, overstrike "c. Of the next one"

Page 5, line 12, remove "three"

Page 5, line 12, overstrike "million dollars, fifty percent is allocated to the county."

Page 5, line 13, overstrike "d. Of the next fourteen million dollars"

Page 5, line 13, remove "all remaining annual revenue"

Page 5, line 13, overstrike ", twenty-five"

Page 5, overstrike line 14

Page 6, line 3, replace "credited" with "distributed"

Page 6, line 3, replace "county" with "state"

Page 6, line 4, replace "Sixty" with "Sixty-five"

Page 7, line 25, overstrike "Twenty" and insert immediately thereafter "Fifteen"

Page 8, line 7, replace "Five" with "Two and one-half"

Page 8, line 9, replace the first "county" with "state"

Page 8, line 11, replace the second "county" with "state"

Page 8, line 14, after "to" insert "the county treasurer for subsequent allocation to"

Page 8, line 19, remove "if"

Page 8, remove line 20

Page 8, line 21, remove "funds on hand or"

Page 8, remove lines 23 through 30

Page 9, replace lines 1 through 16 with:

"e. Ten percent must be deposited in the oil and gas impact grant fund in the state treasury."

Page 9, line 19, replace "credited" with "distributed"

Page 9, line 19, replace the second "county" with "state"

Page 9, line 25, replace "county" with "state"

Page 9, line 28, replace the second "county" with "state"

Page 9, line 30, replace "to" with "among"

Page 9, line 30, after "districts" insert "in the county"

Page 12, line 31, replace "\$150,000" with "\$120,000"

Page 13, line 5, replace "**STATE TREASURER**" with "**DEPARTMENT OF TRANSPORTATION**"

Page 13, line 5, remove "**STRATEGIC INVESTMENT AND**"

Page 13, line 6, replace "**IMPROVEMENTS**" with "**OIL-PRODUCING COUNTIES  
INFRASTRUCTURE ENHANCEMENT**"

Page 13, line 6, remove "strategic investment"

Page 13, line 7, replace "and improvements" with "oil-producing counties infrastructure enhancement"

Page 13, line 8, replace "\$190,000,000" with "\$60,000,000"

Page 13, line 8, replace "state treasurer" with "department of transportation"

Page 13, line 9, after "allocation" insert "as provided in this section"

Page 13, line 9, after "counties" insert "that received \$5,000,000 or more of allocations under subsection 2 of section 57-51-15 in the state fiscal year ending June 30, 2012"

Page 13, line 9, replace "period" with "biennium"

Page 13, line 9, replace "May" with "July"

Page 13, line 10, remove "The amounts available for allocation under this section must be allocated"

Page 13, replace lines 11 through 20 with:

- "1. The sum appropriated in this section must be used to rehabilitate or reconstruct county paved and unpaved roads needed to support oil and gas production and distribution in North Dakota.
  - a. Funding allocations to counties are to be made by the department of transportation based on data supplied by the upper great plains transportation institute.
  - b. Counties identified in the data supplied by the upper great plains transportation institute which received \$5,000,000 or more of allocations under subsection 2 of section 57-51-15 for the state fiscal year ending June 30, 2012, are eligible for this funding.
2. Each county requesting funding under this section for county roads shall submit the request in accordance with criteria developed by the department of transportation.
  - a. The request must include a proposed plan for funding projects that rehabilitate or reconstruct paved and unpaved roads within the county.
  - b. The plan must be based on data supplied by the upper great plains transportation institute, actual road conditions, and integration with state highway and other county road projects.
  - c. Projects funded under this section must comply with the American association of state highway transportation officials (AASHTO) pavement design procedures and the department of transportation local government requirements. Upon completion of major reconstruction projects, the roadway segment must be posted at a legal load limit of 105,500 pounds [47853.993 kilograms].
  - d. Funds may not be used for routine maintenance.
3. The department of transportation, in consultation with the county, may approve the plan or approve the plan with amendments.
4. The funding appropriated in this section may be used for:
  - a. Ninety percent of the cost of the approved roadway projects not to exceed the funding available for that county.
  - b. Funding may be used for construction, engineering, and plan development costs.
5. Upon approval of the plan, the department of transportation shall transfer to the county the approved funding for engineering and plan development costs.
6. Upon execution of a construction contract by the county, the department of transportation shall transfer to the county the approved funding to be distributed for county and township road rehabilitation and reconstruction projects.

7. The recipient counties shall report to the department of transportation upon awarding of each contract and upon completion of each project in a manner prescribed by the department.
8. The funding under this section may be applied to engineering, design, and construction costs incurred on related projects as of January 1, 2013.
9. Section 54-44.1-11 does not apply to funding under this section. Any funds not spent by June 30, 2015, must be continued into the biennium beginning July 1, 2015, and ending June 30, 2017, and may be expended only for purposes authorized by this section."

Page 13, remove lines 21 through 31

Page 14, remove lines 1 and 2

Page 14, line 6, replace "period" with "biennium"

Page 14, line 7, replace "May" with "July"

Page 14, line 8, replace "on or before May 1," with "in July"

Page 14, line 8, remove the second comma

Page 14, line 8, remove "1,"

Page 14, line 18, remove "if that township has"

Page 14, line 19, remove "uncommitted reserve funds on hand exceeding \$100,000 or"

Page 14, line 26, replace "for" with "during"

Page 14, remove lines 27 through 31

Page 15, remove lines 1 through 5

Page 15, remove lines 22 through 31

Page 16, remove lines 1 through 27

Page 16, line 28, replace "2" with "1"

Page 16, line 28, replace "3" with "2"

Page 16, remove lines 30 and 31

Re-number accordingly