

SENATE BILL NO. 2126

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation to ~~the department of transportation for the~~
2 ~~construction and maintenance of state highways and counties; to provide an appropriation to~~
3 the housing finance agency for affordable housing projects; to provide an appropriation to the
4 office of the attorney general for early hiring of criminal investigators; to provide an appropriation
5 to the state department of health for early hiring of environmental scientists; ~~to provide an~~
6 ~~appropriation to the department of trust lands for allocations to cities impacted by oil~~
7 ~~development~~; to provide for ~~transfers~~ a transfer from the general fund; and to declare an
8 emergency.

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

10 ~~**SECTION 1. TRANSFER -- GENERAL FUND TO HIGHWAY FUND.**~~ There is appropriated
11 ~~out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum~~
12 ~~of \$550,000,000, or so much of the sum as may be necessary, which the office of management~~
13 ~~and budget shall transfer to the highway fund for construction and maintenance of state and~~
14 ~~county highways for the period beginning with the effective date of this Act and ending June 30,~~
15 ~~2017. The funding provided in this section is considered a one-time funding item.~~

16 ~~—**SECTION 2. APPROPRIATION. DEPARTMENT OF TRANSPORTATION -- STATE**~~
17 ~~**HIGHWAY CONSTRUCTION AND MAINTENANCE.**~~ There is appropriated out of any moneys
18 ~~in the highway fund in the state treasury, not otherwise appropriated, the sum of \$450,000,000,~~
19 ~~or so much of the sum as may be necessary, to the department of transportation for~~
20 ~~construction and maintenance of state transportation infrastructure for the period beginning with~~
21 ~~the effective date of this Act and ending June 30, 2017. The funding provided in this section~~
22 ~~may be applied to engineering, design, and construction costs incurred on related projects as of~~
23 ~~January 1, 2015, and is considered a one-time funding item.~~

1 ~~SECTION 3. APPROPRIATION -- DEPARTMENT OF TRANSPORTATION --~~

2 ~~TRANSPORTATION FUNDING DISTRIBUTIONS.~~ There is appropriated out of any moneys in
3 the highway fund in the state treasury, not otherwise appropriated, the sum of \$100,000,000, or
4 so much of the sum as may be necessary, to the department of transportation for the period
5 beginning with the effective date of this Act and ending June 30, 2017, for the purpose of
6 allocations among cities, counties, and townships within counties that received no allocation of
7 funding or a total allocation under section 57-51-15 of less than \$500,000 in the state fiscal year
8 ending June 30, 2014. The funding provided in this section is considered a one-time funding
9 item and must be used for construction and maintenance of transportation infrastructure. The
10 department of transportation shall distribute the funding provided under this section as follows:

11 ~~1. \$20,000,000 must be allocated equally among each organized and unorganized~~
12 ~~township. The allocation for each organized township must be transferred directly to~~
13 ~~the respective township. The allocation for each unorganized township must be~~
14 ~~transferred to the county in which the unorganized township is located.~~

15 ~~2. \$80,000,000 must be allocated among cities and counties as follows:~~

16 ~~a. Each city with a population of 4,999 or less must receive a direct allocation from~~
17 ~~the department of transportation in accordance with the formula in subsection 4~~
18 ~~of section 54-27-19.~~

19 ~~b. For each county or city with a population of 5,000 or more, funding must be~~
20 ~~distributed in accordance with the formula in subsection 4 of section 54-27-19~~
21 ~~and the following provisions:~~

22 ~~(1) Each county or city requesting funding under this section shall submit the~~
23 ~~request in accordance with criteria developed by the department of~~
24 ~~transportation.~~

25 ~~(a) The city improvement projects must be consistent with projects~~
26 ~~identified in the city's capital improvement plan or long-range~~
27 ~~transportation plan that will rehabilitate or reconstruct the~~
28 ~~transportation infrastructure within the city.~~

29 ~~(b) The request from counties must include a proposed plan for funding~~
30 ~~projects that rehabilitate or reconstruct the transportation~~
31 ~~infrastructure within the county.~~

- 1 ~~(e) The plan must be based on actual transportation infrastructure~~
2 ~~conditions and the integration of projects with state highway and other~~
3 ~~city or county projects.~~
- 4 ~~(2) The department of transportation, in consultation with the city or county,~~
5 ~~may approve the plan or approve the plan with amendments.~~
- 6 ~~(3) The funding appropriated in this section may be used for transportation~~
7 ~~infrastructure development costs.~~
- 8 ~~(4) Upon approval of the plan, the department of transportation shall transfer to~~
9 ~~the city or county the approved funding for engineering and plan~~
10 ~~development costs.~~
- 11 ~~(5) Upon execution of a construction contract by the city or county, the~~
12 ~~department of transportation shall transfer to the city or county the approved~~
13 ~~funding to be distributed for rehabilitation and reconstruction projects.~~
- 14 ~~(6) Each recipient city and county shall report to the department of~~
15 ~~transportation upon awarding of each contract and upon completion of each~~
16 ~~project in a manner prescribed by the department.~~
- 17 ~~3. The funding provided in this section may be applied to engineering, design, and~~
18 ~~construction costs incurred on related projects as of January 1, 2015.~~

19 **SECTION 1. APPROPRIATION - TRANSFER - GENERAL FUND TO HOUSING**

20 **INCENTIVE FUND.** There is appropriated out of any moneys in the general fund in the state
21 treasury, not otherwise appropriated, the sum of \$20,000,000, or so much of the sum as may be
22 necessary, which the office of management and budget shall transfer to the housing incentive
23 fund, for the period beginning with the effective date of this Act and ending June 30, 2017. The
24 funding provided in this section is considered a one-time funding item.

25 **SECTION 2. APPROPRIATION - ATTORNEY GENERAL.** There is appropriated out of any
26 moneys in the general fund in the state treasury, not otherwise appropriated, the sum of
27 \$1,000,000, or so much of the sum as may be necessary, to the attorney general for up to ten
28 full-time equivalent positions to assist with law enforcement activities in areas impacted by oil
29 development, for the period beginning with the effective date of this Act and ending June 30,
30 ~~2017~~2015.

1 **SECTION 3. APPROPRIATION - STATE DEPARTMENT OF HEALTH.** There is
2 appropriated out of any moneys in the general fund in the state treasury, not otherwise
3 appropriated, the sum of \$2,000,000, or so much of the sum as may be necessary, to the state
4 department of health for the purpose of hiring up to fifteen additional environmental scientist
5 full-time equivalent positions, for the period beginning with the effective date of this Act and
6 ending June 30, 2015.

7 ~~**SECTION 4. APPROPRIATION - BOARD OF UNIVERSITY AND SCHOOL LANDS -**~~
8 ~~**STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.**~~ There is appropriated out of any
9 moneys in the strategic investment and improvements fund in the state treasury, not otherwise
10 appropriated, the sum of \$300,000,000, or so much of the sum as may be necessary, to the
11 board of university and school lands for providing allocations to cities located in the ten largest
12 oil-producing counties in North Dakota in the state fiscal year ending June 30, 2014, for the
13 period beginning with the effective date of this Act and ending June 30, 2017. The funding
14 provided in this section is considered a one-time funding item.

15 **SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure.