

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1012

That the Senate recede from its amendments as printed on pages 1498-1502 of the House Journal and pages 1290-1294 of the Senate Journal and that Engrossed House Bill No. 1012 be amended as follows:

Page 1, line 5, remove "to provide legislative intent;"

Page 1, line 5, replace "and" with "to provide for a department of transportation study; to provide a report to the legislative management; to provide for a report to the legislative council;"

Page 1, line 6, after "exemptions" insert "; and to provide for application"

Page 1, replace lines 16 through 22 with:

"Salaries and wages	\$187,477,585	\$20,300,693	\$207,778,278
Accrued leave payments	7,280,897	(7,280,897)	0
Operating expenses	376,721,715	19,101,036	395,822,751
Capital assets	727,911,207	379,785,753	1,107,696,960
Grants	79,788,030	(16,870,000)	62,918,030
Total all funds	\$1,379,179,434	\$395,036,585	\$1,774,216,019
Less estimated income	<u>1,379,179,434</u>	<u>394,976,585</u>	<u>1,774,156,019</u>
Total general fund	\$0	\$60,000	\$60,000
Full-time equivalent positions	1,079.50	1.00	1,080.50"

Page 2, replace lines 4 through 18 with:

"General fund transfer to highway fund	\$541,600,000	\$0
Enhanced state highway investments	1,161,600,000	503,115,558
TIGER III federal railroad program	10,000,000	0
General license plate issue	6,820,000	0
Contingent general fund transfer to public transportation fund	1,100,000	0
Airplane replacement	4,500,000	0
Transportation distribution to oil-producing counties	160,000,000	0
Transportation distribution to non-oil-producing counties	120,000,000	0
Recreational road access	0	2,000,000
Vehicle registration and titling system replacement	0	2,500,000
Truck size and weight harmonization study	<u>0</u>	<u>60,000</u>
Total all funds	\$2,005,620,000	\$507,675,558
Total special funds	<u>541,600,000</u>	<u>507,615,558</u>
Total general fund	\$1,464,020,000	\$60,000"

Page 2, line 30, replace "\$504,115,558" with "\$503,115,558"

Page 3, after line 3, insert:

"SECTION 5. APPROPRIATION - DEPARTMENT OF TRANSPORTATION - MOTOR COACH REIMBURSEMENT. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,000,000, or so much of the sum as may be necessary, to the department of transportation for the

purpose of reimbursing costs incurred from motor coach operations, for the biennium beginning July 1, 2015, and ending June 30, 2017. The funding provided in this section is considered a one-time funding item."

Page 3, line 6, replace "\$1,000,000" with "\$2,000,000"

Page 3, line 12, after "**APPROPRIATION**" insert "- **STRATEGIC INVESTMENT AND IMPROVEMENTS FUND**"

Page 3, line 14, replace "\$2,000,000" with "\$7,000,000"

Page 4, line 2, after the period insert "The funding provided in this section is considered a one-time funding item."

Page 4, replace lines 3 through 9 with:

"SECTION 9. DEPARTMENT OF TRANSPORTATION - TRUCK SIZE AND WEIGHT HARMONIZATION. The operating expenses line item in section 1 of this Act, includes the sum of \$60,000 from the general fund, for the department of transportation to collaborate with the upper great plains transportation institute to study the impacts in this state of harmonizing truck size and weight regulations with states in the western states transportation alliance regarding standard commercial truck envelope limits of 129,000 pounds gross vehicle combination weight or 100 foot cargo carrying length and potential implications, for the biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 10. LEGISLATIVE MANAGEMENT STUDY - TRUCK SIZE AND WEIGHT HARMONIZATION. During the 2015-16 interim, the legislative management shall study the truck size and weight provisions under chapter 39-12, relating to size, width, and height restrictions, in order to ensure the state of North Dakota may harmonize its truck size and weight regulations with the regulations of the states in the western states transportation alliance, and shall utilize the findings of the collaborative study of the department of transportation and the upper great plains transportation institute to determine appropriate changes to state law. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fifth legislative assembly.

SECTION 11. APPROPRIATION - CONTINGENT TRANSFERS - GENERAL FUND TO PUBLIC TRANSPORTATION FUND. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$200,000, or so much of the sum as may be necessary, which the office of management and budget shall transfer to the public transportation fund pursuant to this section during the biennium beginning July 1, 2015, and ending June 30, 2017. The office of management and budget shall transfer the sum of \$100,000 on July 1, 2015, if deposits in the public transportation fund from the highway tax distribution fund are \$5,200,000 or less during the period beginning July 1, 2014, and ending June 30, 2015. The office of management and budget shall transfer the sum of \$100,000 on July 1, 2016, if deposits in the public transportation fund from the highway tax distribution fund are \$5,200,000 or less during the period beginning July 1, 2015, and ending June 30, 2016.

SECTION 12. DEPARTMENT OF TRANSPORTATION STUDY - REPORT TO LEGISLATIVE MANAGEMENT. The department of transportation shall study state funding distributions and allocations to public transportation providers. The study must include a review of distributions and allocations, including contingent funding provided, a review of distribution and allocation formulas, and the public transportation providers

use of the funds received from the distributions, allocations, and contingent funding, including uses for operating costs and capital asset purchases. The department of transportation shall report to the legislative management regarding the results of its study by June 30, 2016."

Page 4, line 17, replace "\$504,115,558" with "\$503,115,558"

Page 5, line 11, remove "into"

Page 5, line 12, after "At" insert "least one year before"

Page 5, line 13, remove "current"

Page 5, line 13, remove "into"

Page 5, line 15, remove "into"

Page 5, after line 23, insert:

"SECTION 18. RAIL SAFETY - REPORT TO LEGISLATIVE MANAGEMENT.

The department of transportation shall report to a committee designated by the legislative management, regarding the department's updated North Dakota state rail plan and the director of the department of transportation shall post the department's updated North Dakota state rail plan report on the department's public website and provide an electronic copy to the legislative council for placement on the legislative branch public website for the biennium beginning July 1, 2015, and ending June 30, 2017."

Page 6, replace lines 6 through 19 with:

"SECTION 21. APPLICATION. Section 17 of this Act applies to applicable contracts, regardless of whether entered before or after the effective date of this Act."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1012 - Summary of Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
State Treasurer						
Total all funds	\$0	\$8,000,000	\$0	\$8,000,000	\$8,000,000	\$0
Less estimated income	0	0	0	0	0	0
General fund	\$0	\$8,000,000	\$0	\$8,000,000	\$8,000,000	\$0
Department of Transportation						
Total all funds	\$1,379,179,434	\$2,277,030,434	\$10,501,143	\$2,287,531,577	\$2,290,401,577	(\$2,870,000)
Less estimated income	1,379,179,434	1,771,914,876	9,241,143	1,781,156,019	1,781,326,019	(170,000)
General fund	\$0	\$505,115,558	\$1,260,000	\$506,375,558	\$509,075,558	(\$2,700,000)
Bill total						
Total all funds	\$1,379,179,434	\$2,285,030,434	\$10,501,143	\$2,295,531,577	\$2,298,401,577	(\$2,870,000)
Less estimated income	1,379,179,434	1,771,914,876	9,241,143	1,781,156,019	1,781,326,019	(170,000)
General fund	\$0	\$513,115,558	\$1,260,000	\$514,375,558	\$517,075,558	(\$2,700,000)

House Bill No. 1012 - State Treasurer - Conference Committee Action

The conference committee did not change the House or Senate version.

House Bill No. 1012 - Department of Transportation - Conference Committee Action

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Salaries and wages	\$187,477,585	\$208,387,135	(\$608,857)	\$207,778,278	\$207,778,278	
Operating expenses	376,721,715	395,173,751	649,000	395,822,751	395,822,751	
Capital assets	727,911,207	1,102,685,960	5,011,000	1,107,696,960	1,104,096,960	3,600,000
Grants	79,788,030	63,668,030	(750,000)	62,918,030	63,668,030	(750,000)
Accrued leave payments	7,280,897					
General fund transfer to highway fund		504,115,558	(1,000,000)	503,115,558	504,115,558	(1,000,000)
Short line railroad program		2,000,000	5,000,000	7,000,000	10,000,000	(3,000,000)
General fund trans. to special road fund		1,000,000	1,000,000	2,000,000	3,000,000	(1,000,000)
City grants					20,000	(20,000)
Contingent transfer			200,000	200,000	1,900,000	(1,700,000)
Motor coach reimbursement			1,000,000	1,000,000		1,000,000
Total all funds	\$1,379,179,434	\$2,277,030,434	\$10,501,143	\$2,287,531,577	\$2,290,401,577	(\$2,870,000)
Less estimated income	1,379,179,434	1,771,914,876	9,241,143	1,781,156,019	1,781,326,019	(170,000)
General fund	\$0	\$505,115,558	\$1,260,000	\$506,375,558	\$509,075,558	(\$2,700,000)
FTE	1079.50	1079.50	1.00	1080.50	1080.50	0.00

Department No. 801 - Department of Transportation - Detail of Conference Committee Changes

	Adjusts Funding for Health Insurance Premium Increases¹	Adds Funding for New Environmental Scientist III²	Adjusts Funding for Maintenance Management System³	Adds Funding for Highway Projects⁴	Adjusts Funding for Motor Coach Reimbursement⁵	Reduces One-Time Funding for Enhanced State Infrastructure Investments⁶
Salaries and wages	(\$811,779)	\$202,922				
Operating expenses			589,000			
Capital assets			(589,000)	5,600,000		(1,000,000)
Grants					(750,000)	
Accrued leave payments						
General fund transfer to highway fund						(1,000,000)
Short line railroad program						
General fund trans. to special road fund						
City grants						
Contingent transfer						
Motor coach reimbursement					1,000,000	
Total all funds	(\$811,779)	\$202,922	\$0	\$5,600,000	\$250,000	(\$2,000,000)
Less estimated income	(811,779)	202,922	0	5,600,000	(750,000)	(1,000,000)
General fund	\$0	\$0	\$0	\$0	\$1,000,000	(\$1,000,000)
FTE	0.00	1.00	0.00	0.00	0.00	0.00

	Adds One-Time Funding for Recreational Road Access Improvements⁷	Adds One-Time Funding for Short Line Railroad Program⁸	Adds One-Time Funding for Truck Size and Weight Harmonization Study⁹	Transfers Funding to Special Road Fund¹⁰	Adds Contingent Transfer to Public Transportation Fund¹¹	Total Conference Committee Changes
Salaries and wages						(\$608,857)
Operating expenses			60,000			649,000
Capital assets	1,000,000					5,011,000
Grants						(750,000)
Accrued leave payments						
General fund transfer to highway fund						(1,000,000)
Short line railroad program		5,000,000				5,000,000
General fund trans. to special road fund				1,000,000		1,000,000

City grants						
Contingent transfer					200,000	200,000
Motor coach reimbursement						1,000,000
Total all funds	\$1,000,000	\$5,000,000	\$60,000	\$1,000,000	\$200,000	\$10,501,143
Less estimated income	1,000,000	5,000,000	0	0	0	9,241,143
General fund	\$0	\$0	\$60,000	\$1,000,000	\$200,000	\$1,260,000
FTE	0.00	0.00	0.00	0.00	0.00	1.00

¹ Funding for employee health insurance premiums is adjusted to reflect the revised premium estimate of \$1,130.22 per month.

² Funding is added from other funds for a new environment scientist III FTE position (\$195,143) and related salary increase (\$7,779), the same as the Senate version.

³ Funding is adjusted from the capital assets line item to the operating expenses line item for the maintenance management system, the same as the Senate version.

⁴ The conference committee added funding to the capital assets line due to additional revenues available in the highway tax distribution fund to the Department of Transportation for highway projects.

⁵ The conference committee added a section providing a \$1 million appropriation from the general fund to the Department of Transportation for offsetting costs incurred from motor coach operations and removed special fund authority of \$750,000 in the grants line item. The Senate and House versions provided \$750,000 in special funds authority.

⁶ The conference committee removed \$1 million in enhanced state infrastructure investments and reduced the general fund transfer to the highway fund by \$1 million to \$503,115,558.

⁷ The conference committee increased one-time funding from \$1 million to \$2 million from the special road fund for improvements to roads that lead to recreational areas. The Senate provided \$3 million.

⁸ Funding from the strategic investment and improvements fund for the Department of Transportation's short line railroad program is increased by the conference committee from \$2 million to \$7 million. The Senate provided \$10 million.

⁹ A section is added appropriating one-time funding from the general fund for the Department of Transportation to collaborate with the Upper Great Plains Transportation Institute to study the impacts in this state of harmonizing truck size and weight regulations with states in the Western States Transportation Alliance, the same as the Senate version.

¹⁰ The one-time general fund transfer to the special road fund for improvements to roads that lead to recreational areas is increased by the conference committee from \$1 million to \$2 million. The Senate provided for a \$3 million transfer.

¹¹ Adds a section providing an appropriation and contingent transfer from the general fund to the public transportation fund for making a \$100,000 transfer on July 1, 2015, if deposits in the public transportation fund from the highway tax distribution fund are \$5,200,000 or less during the fiscal year 2015 and another transfer of \$100,000 on July 1, 2016, if deposits in the public transportation fund from the highway tax distribution fund are \$5,200,000 or less during the fiscal year 2016. The Senate version provided \$950,000 annually if deposits were \$5.6 million or less.

This amendment also:

- Reduces the appropriation and transfer from the general fund to the highway fund from \$504,115,558 to \$503,115,558.
- Provides for a Legislative Management study regarding truck size and weight harmonization, the

same as the Senate version.

- Removes a section that provided legislative intent for the Department of Transportation to refrain from using any of the funds appropriated to the department for the 2015-17 biennium for construction or repair of buildings or any new information technology improvements unless the department receives federal funding of at least the amount anticipated by the 64th Legislative Assembly, the same as the Senate version.
- Reduces the enhanced state highway investments carryover authority from \$504,115,558 to \$503,115,558.

Sections added by the Senate that are not included in this amendment include:

- A section appropriating one-time funding from the strategic investment and improvements fund to provide \$20,000 for grants to eligible cities.
- A section requiring the Department of Transportation to report to the Legislative Management on rail safety.