

**FIRST ENGROSSMENT
with Conference Committee Amendments
ENGROSSED HOUSE BILL NO. 1230**

Introduced by

Representatives Schreiber-Beck, D. Anderson, Hatlestad, Roers Jones, Zubke

Senators Klein, Kreun, J. Roers

1 A BILL for an Act to amend and reenact section 54-06-37 of the North Dakota Century Code,
2 relating to the lease of a manned aircraft in an emergency.

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

4 **SECTION 1. AMENDMENT.** Section 54-06-37 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **54-06-37. Authorization to purchase or lease aircraft - Legislative assembly or budget**
7 **section approval - Exception.**

8 A

- 9 1. As used in this section, "airworthy" means an aircraft conforms to its type design and
10 is in a condition for safe operation.
- 11 2. Except as otherwise provided in subsections 3 and 4, a state agency or other entity of
12 state government may not purchase or lease ~~ana~~ manned aircraft without specific
13 authorization from the legislative assembly or the budget section of the legislative
14 management if the legislative assembly is not in session.
- 15 3. In an emergency circumstance, a state agency, department, or institution may lease a
16 manned aircraft without approval from the legislative assembly or the budget section if
17 an aircraft currently leased or owned by the state agency, department, or institution is
18 not airworthy. The emergency lease under this subsection may extend only until the
19 aircraft deemed not airworthy is determined to be airworthy.
- 20 4. A state agency, department, or institution may purchase a replacement aircraft without
21 approval from the legislative assembly or the budget section if an aircraft is destroyed
22 beyond repair and only insurance proceeds are used for the purchase of the
23 replacement aircraft. If the purchase price of a replacement aircraft exceeds the

- 1 insurance proceeds, the state agency, department, or institution must receive
- 2 authorization in accordance with subsection 2.
- 3 5. This section does not apply to aircraft purchased or leased by the office of the adjutant
- 4 general or the university of North Dakota school of aviation.