

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1425

Page 1, line 2, remove "revolving"

Page 1, line 2, replace "fund" with "program"

Page 1, line 9, remove "**revolving**"

Page 1, line 9, replace "**fund**" with "**program**"

Page 1, remove lines 10 through 24

Page 2, replace lines 1 through 20 with:

- "1. The legacy infrastructure loan program is created from which the Bank of North Dakota shall provide loans to political subdivisions, the Garrison Diversion Conservancy District, and the Lake Agassiz water authority for eligible infrastructure projects as authorized in this section.
2. The Bank of North Dakota may adopt policies and establish guidelines to administer the legacy infrastructure loan program in accordance with this section.
3. A loan made from the legacy infrastructure loan program must have an interest rate that does not exceed two percent per year. The maximum term of a loan under subsections 7 and 9 is forty years or the useful life of the project.
4. The Bank of North Dakota shall transfer all payments of principal and interest paid on loans made from the legacy infrastructure loan program to the legacy fund. The Bank may use a portion of the interest paid on the outstanding loans as a servicing fee to pay for administrative costs, which may not exceed one-half of one percent of the amount of the outstanding loans.
5. An applicant shall issue an evidence of indebtedness as authorized by law.
6. When processing political subdivision loan applications under this section, the Bank of North Dakota shall calculate the maximum outstanding loan amount per qualified applicant. The maximum outstanding loan amount for infrastructure projects under subsection 7 is forty million dollars. The Bank shall consider the ability of the applicant to repay the loan while processing the application and shall issue loans only to applicants that provide reasonable assurance of sufficient future income to repay the loan.
7. Eligible infrastructure projects under this subsection are capital projects to construct new infrastructure or to replace infrastructure and which provide the fixed installations necessary for the function of a political subdivision and are in the interest of the public. Capital construction projects include:
  - a. Water treatment plants;

- b. Wastewater treatment plants;
  - c. Sewerlines and waterlines, including lift stations and pumping stations;
  - d. Water storage systems, including dams, water tanks, and water towers;
  - e. Storm water infrastructure, including curb and gutter construction;
  - f. Road and bridge infrastructure, including paved and unpaved roads and bridges;
  - g. Airport infrastructure;
  - h. Electricity transmission infrastructure;
  - i. Natural gas transmission infrastructure;
  - j. Communications infrastructure;
  - k. Emergency services facilities, excluding hospitals;
  - l. Essential political subdivision building and infrastructure; and
  - m. The Red River valley water supply project.
8. The department of transportation shall approve county road and bridge projects for purposes of loans under this section and may adopt policies for the review and approval of projects under this section.
9. For purposes of loans under this subsection, the state water commission shall review and approve eligible projects to construct new water-related infrastructure or to replace existing water-related infrastructure which provide the fixed installations necessary for the function of a political subdivision and are in the best interest of the public. The state water commission may adopt policies for the review and approval of projects under this section. Capital construction projects include:
- a. Flood control;
  - b. Conveyance projects;
  - c. Rural water supply;
  - d. Water supply; and
  - e. General water management.
10. Capital construction projects under subsections 7 and 9 do not include routine maintenance and repair projects."

Renumber accordingly