23.8123.01001

Sixty-eighth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1103

Introduced by

Transportation Committee

(At the request of the Department of Transportation)

A BILL for an Act to ~~provide an appropriation to the department of transportation for federal match funds from the infrastructure revolving loan fund~~amend and reenact section 10 of chapter 80 of the 2021 Session Laws, relating to a department of transportation appropriation; to provide for a transfer; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

~~**SECTION 1. APPROPRIATION - DEPARTMENT OF TRANSPORTATION - HIGHWAY FUND - CONTINGENT TRANSFER.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $35,000,000, or so much of the sum as may be necessary, to the department of transportation for the purpose of federal match funds from the infrastructure revolving loan fund, for the biennium beginning July 1, 2023, and ending June 30, 2025. $35,000,000 derived from bond proceeds in the infrastructure revolving loan fund and identified as uncommitted on October 1, 2022, may be used to match federal funding which becomes available after September 30, 2022, to the North Dakota department of transportation. Section 54-44.1-11 does not apply to any portion of these funds remaining unspent after June 30, 2023, any remaining funds must be continued into the biennium beginning July 1, 2023, and ending June 30, 2025, and may be expended only for matching federal funding which become available to the North Dakota department of transportation.~~

SECTION 1. AMENDMENT. Section 10 of chapter 80 of the 2021 Session Laws is amended and reenacted as follows:

SECTION 10. APPROPRIATION - HIGHWAY FUND - ~~CONTINGENT TRANSFER~~EXEMPTION. There is appropriated out of any moneys in the highway fund in the state treasury, not otherwise appropriated, the sum of $70,000,000, or so much of the sum as may be necessary, derived from bond proceeds to the department

of transportation for state highway and state highway bridge projects and for matching federal funds that may become available, for the biennium beginning July 1, 2021, and ending June 30, 2023. ~~Of the $70,000,000, $35,000,000 is designated for state highway bridge projects, and $35,000,000 is designated for matching federal funds that may become available for state highway projects in excess of the federal funds appropriated to the department of transportation as part of its 2021-23 biennial budget. By October 1, 2022, the director of the department of transportation shall certify to the office of management and budget the amount of funding committed to matching excess federal funds from the $35,000,000 provided under this section. If the amount committed is less than $35,000,000, the office of management and budget shall transfer any uncommitted amounts to the infrastructure revolving loan fund under section 6-09-49~~The appropriation provided in this section is not subject to section 54-44.1-11 and may be continued into the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 2. TRANSFER. The office of management and budget shall transfer any remaining bond proceeds designated for deposit in the highway fund pursuant to section 7 of chapter 80 of the 2021 Session Laws to the highway fund during the period beginning with the effective date of this Act and ending June 30, 2023.

SECTION 3. EMERGENCY. This Act is declared to be an emergency measure.