

Sixty-ninth
Legislative Assembly
of North Dakota

**FIRST ENGROSSMENT
with House Amendments**

ENGROSSED SENATE BILL NO. 2012

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the department of
2 transportation; to create and enact a new section to chapter 54-27 of the North Dakota Century
3 Code, relating to a legacy earnings fund; to amend and reenact section 6-09.4-10.1,
4 subsection 1 of section 21-10-06, and sections 24-02-37.3, 24-02-40.1, 54-27-19, and
5 57-40.3-10, subsection 1 of section 57-43.1-02, subsection 1 of section 57-43.2-02, and section
6 57-51.1-07.5 of the North Dakota Century Code, relating to funds invested by the state
7 investment board, the flexible transportation fund, highway revenue anticipation financing, the
8 highway tax distribution fund, motor vehicle excise tax collections, motor fuels taxes, and the
9 state share of oil and gas taxes; to repeal sections 21-10-12, 21-10-13, 54-27-19.3, and
10 54-27-19.4 of the North Dakota Century Code, relating to legacy fund definitions, a legacy
11 earnings fund, the legacy earnings highway distribution fund, and legacy earnings township
12 highway aid fund; to authorize bonding; to provide an effective date; and to provide an
13 exemption.

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

15 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
16 as may be necessary, are appropriated from other funds derived from special funds and federal
17 funds, to the department of transportation for the purpose of defraying the expenses of the
18 department of transportation, for the biennium beginning July 1, 2025, and ending June 30,
19 2027, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
22 Salaries and wages	\$219,279,648	\$16,710,943	\$235,990,591

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1	New and vacant FTE pool	0	13,788,877	13,788,877
2	Operating expenses	316,256,474	72,140,540	388,397,014
3	Capital assets	1,101,395,065	906,594,552	2,007,989,617
4	Grants	<u>112,821,458</u>	<u>(3,581,000)</u>	<u>109,240,458</u>
5	Total other funds	\$1,749,752,645	\$1,005,653,912	\$2,755,406,557
6	Full-time equivalent positions	1,001.00	5.00	1,006.00

7 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**

8 **SEVENTIETH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
 9 items included in the appropriation in section 1 of this Act which are not included in the entity's
 10 base budget for the 2027-29 biennium and which the entity shall report to the appropriations
 11 committees of the seventieth legislative assembly regarding the use of this funding:

12	<u>One-Time Funding Description</u>	<u>Other Funds</u>
13	Facility improvements	\$5,970,000
14	Appointment system upgrade	3,000,000
15	Inventory tracking system	350,000
16	Federal formula funds match	171,300,000
17	United States highway 85 projects	155,000,000
18	Increased roadway maintenance costs	9,842,212
19	Walking trail grant	100,000
20	Equipment	<u>5,872,000</u>
21	Total	\$351,434,212

22 **SECTION 3. NEW AND VACANT FTE POOL - LIMITATION - TRANSFER REQUEST.** The
 23 department of transportation may not spend funds appropriated in the new and vacant FTE pool
 24 line item in section 1 of this Act but may request the office of management and budget to
 25 transfer funds from the new and vacant FTE pool line item to the salaries and wages line item in
 26 accordance with the guidelines and reporting provisions included in House Bill No. 1015, as
 27 approved by the sixty-ninth legislative assembly.

28 **SECTION 4. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND -**
 29 **FLEXIBLE TRANSPORTATION FUND.** The office of management and budget shall transfer the
 30 sum of \$380,000,000 from the strategic investment and improvements fund to the flexible
 31 transportation fund during the biennium beginning July 1, 2025, and ending June 30, 2027.

1 **SECTION 5. AUTHORIZATION OF BONDING OR OTHER REVENUE SOURCES -**
2 **UNITED STATES HIGHWAY 85.** During the biennium beginning July 1, 2025, and ending
3 June 30, 2027, the department of transportation may utilize bonding authority under section
4 24-02-40.1 or any other available sources of funding to obtain up to \$155,000,000 of funds for
5 construction projects on United States highway 85.

6 **SECTION 6. EXEMPTION - LINE ITEM TRANSFERS.** Notwithstanding section 54-16-04,
7 the director of the office of management and budget shall transfer appropriation authority
8 among the salaries and wages, operating expenses, capital assets, and grants line items in
9 section 1 of this Act as requested by the director of the department of transportation when it is
10 cost-effective for construction and maintenance of highways. The department of transportation
11 shall notify the legislative council of any transfers made pursuant to this section.

12 **SECTION 7. OTHER FUNDS - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.**
13 The other funds line item in section 1 of this Act includes the sum of \$171,300,000 from the
14 strategic investment and improvements fund to match federal highway formula funds and the
15 sum of \$3,551,824 from the strategic investment and improvements fund for state airplane
16 operations during the biennium beginning July 1, 2025, and ending June 30, 2027.

17 **SECTION 8. AMENDMENT.** Section 6-09.4-10.1 of the North Dakota Century Code is
18 amended and reenacted as follows:

19 **6-09.4-10.1. Legacy sinking and interest fund - Debt service requirements - Public**
20 **finance authority.**

21 There is created in the state treasury the legacy sinking and interest fund. The fund consists
22 of all moneys deposited in the fund under section ~~21-10-13~~13 of this Act. Moneys in the fund
23 may be spent by the public finance authority pursuant to legislative appropriations to meet the
24 debt service requirements for evidences of indebtedness issued by the authority for transfer to
25 the Bank of North Dakota for allocations to infrastructure projects and programs.

26 **SECTION 9. AMENDMENT.** Subsection 1 of section 21-10-06 of the North Dakota Century
27 Code is amended and reenacted as follows:

- 28 1. Subject to the provisions of section 21-10-02, the board shall invest the following
29 funds:
- 30 a. State bonding fund.
 - 31 b. Teachers' fund for retirement.

- 1 c. State fire and tornado fund.
- 2 d. Workforce safety and insurance fund.
- 3 e. Public employees retirement system.
- 4 f. Insurance regulatory trust fund.
- 5 g. State risk management fund.
- 6 h. Budget stabilization fund.
- 7 i. Water projects stabilization fund.
- 8 j. Health care trust fund.
- 9 k. Cultural endowment fund.
- 10 l. Petroleum tank release compensation fund.
- 11 m. Legacy fund.
- 12 n. ~~Legacy earnings fund.~~
- 13 o. Opioid settlement fund.
- 14 ~~p-o.~~ A fund under contract with the board pursuant to subsection 3.

15 **SECTION 10. AMENDMENT.** Section 24-02-37.3 of the North Dakota Century Code is
16 amended and reenacted as follows:

17 **24-02-37.3. Flexible transportation fund - Budget section approval - State treasurer**
18 **distributions to political subdivisions - Report. (Retroactive application - [See note](#))**

19 There is created in the state treasury the flexible transportation fund. The fund consists of
20 eligible federal or state funding and any contributed private funds.

- 21 1. The flexible transportation fund must be administered and expended by the director
22 and may be used for the following:
 - 23 a. Providing a match for federal funding obtained by the department of
24 transportation.
 - 25 b. State-funded road and bridge construction and maintenance, and transportation
26 support costs including staffing, facilities, and operational expenditures on the
27 state highway system.
 - 28 c. State-funded road ~~and~~, bridge, and other infrastructure construction and
29 maintenance activities within the state but off of the state highway system. The
30 director shall establish the terms and provisions of the program.

- 1 2. All money derived from the investment of the flexible transportation fund or any portion
2 of the fund, must be credited to the flexible transportation fund. The director shall
3 monthly transmit all moneys collected and received under this chapter to the state
4 treasurer to be transferred and credited to the flexible transportation fund.
- 5 3. The director must receive budget section approval for any project that utilizes more
6 than ten million dollars from the fund except for projects that match federal or private
7 funds and the amount utilized from the fund is fifty percent or less of total project
8 costs. Any request considered by the budget section must comply with section
9 54-35-02.9.
- 10 4. ~~The director shall allocate at least twenty-five percent of motor vehicle excise tax~~
11 ~~collections deposited in the flexible transportation fund pursuant to section 57-40.3-10~~
12 ~~for non-oil-producing county and township road and bridge projects as follows:~~
- 13 a. ~~The funds must be allocated by the department to counties for projects or grants~~
14 ~~for the benefit of counties and organized and unorganized townships;~~
- 15 b. ~~The department shall establish criteria to distribute the funds;~~
- 16 c. ~~The funds must be used for the maintenance and improvement of county and~~
17 ~~township paved and unpaved roads and bridges;~~
- 18 d. ~~Priority must be given to projects that match federal funds and to projects that~~
19 ~~improve roadways that serve as local corridors;~~
- 20 e. ~~An organized township is not eligible to receive funding if the township does not~~
21 ~~maintain any roadways or does not levy at least eighteen mills for general~~
22 ~~purposes; and~~
- 23 f. ~~For purposes of this subsection, "non-oil-producing county" means a county that~~
24 ~~received no allocation of funding or a total allocation of less than five million~~
25 ~~dollars under subsection 2 of section 57-51-15 in the most recently completed~~
26 ~~even-numbered fiscal year before the start of each biennium.~~The director shall
27 allocate a portion of funds deposited in the flexible transportation fund for the
28 benefit of road and bridge maintenance and projects in counties, cities, and
29 townships as follows:

- 1 a. The following percentage of state funds deposited in the fund must be allocated
2 by the director for grants to counties, cities, and townships in non-oil-producing
3 counties for road and bridge repair and replacement projects:
4 (1) Fourteen percent must be allocated for county projects.
5 (2) Seventeen and one-half percent must be allocated for city projects.
6 (3) Eleven and one-half percent must be allocated for township projects.
7 b. Twelve and nine-tenths percent of state funds deposited in the fund must be
8 allocated by the director for grants to eligible counties for bridge repair and
9 replacement projects.
10 c. The director shall establish criteria to distribute the funds under this subsection.
11 Priority must be given to projects that match federal or private funds and to
12 projects that improve roadways that serve as local corridors. Priority for
13 organized township road projects must be given to projects located in townships
14 that levy at least eighteen mills for general purposes and have a general fund
15 balance of less than one hundred thousand dollars as of December thirty-first of
16 the prior year. For purposes of determining the mills levied by an organized
17 township, the director shall use the most recent mill rate data published by the
18 tax commissioner.
19 d. The amount allocated to organized townships under this subsection must be paid
20 by the county treasurer to each organized township and the amount allocated for
21 unorganized townships under this subsection must be credited by the county
22 treasurer to a special fund for unorganized township roads.
23 5. The state treasurer shall allocate a portion of funds deposited in the flexible
24 transportation fund for the benefit of road, bridge, and other infrastructure
25 maintenance and projects in counties, cities, and townships, as follows:
26 a. Six and one-half percent of state funds deposited in the fund must be distributed
27 to non-oil-producing counties for the benefit of organized and unorganized
28 township road needs using the distribution method in section 54-27-19.1. To
29 receive an allocation under this subdivision, an organized township must levy at
30 least eighteen mills for general purposes and have a general fund balance of less
31 than one hundred thousand dollars as of December thirty-first of the prior year.

1 For purposes of determining the mills levied by organized townships, the state
2 treasurer shall use the most recent mill rate data published by the tax
3 commissioner.

4 b. Eleven and one-quarter percent of state funds deposited in the fund must be
5 distributed to non-oil-producing counties for road and bridge projects using the
6 formula established in subsection 4 of section 54-27-19.

7 c. Thirteen and one-half percent of state funds deposited in the fund must be
8 distributed to cities in non-oil-producing counties for road, bridge, and other
9 infrastructure projects using the formula established in subsection 4 of section
10 54-27-19.

11 6. Twelve and eighty-five hundredths of state funds deposited in the fund must be used
12 by the director for any projects eligible for funding under this section.

13 7. For purposes of this section, "non-oil-producing county" means a county that had
14 average annual oil production of fewer than ten million barrels based on the average
15 annual oil production in the three-year period ending with the most recently completed
16 even-numbered fiscal year before the start of each biennium.

17 5.8. The director shall provide periodic reports to the budget section regarding the status of
18 the fund and projects receiving allocations from the fund.

19 **SECTION 11. AMENDMENT.** Section 24-02-40.1 of the North Dakota Century Code is
20 amended and reenacted as follows:

21 **24-02-40.1. Grant or revenue anticipation financing.**

22 Notwithstanding any other provision of law, the department, whenever needed for the liberty-
23 memorial bridge improvement project and the United States highway 285 project improvements,
24 may arrange with any state-owned or private financing agency or underwriter, including the
25 Bank of North Dakota, grant or revenue anticipation financing of up to one hundred fifty-five
26 million dollars through the issuance of evidences of indebtedness on such terms and conditions
27 as the department determines if construction funds on hand are insufficient to meet current
28 obligations or to achieve cost-savings or efficiencies in road construction. The department may
29 refund the evidences of indebtedness as often as it is advantageous to do so. Evidences of
30 indebtedness may be sold at public or private sale and must mature not more than fifteen years
31 from their date or dates, and the proceeds of the sale may be invested on such terms and

1 conditions as the department determines. Grant or revenue anticipation financing must be in
2 amounts no larger than can be repaid from moneys known or reasonably anticipated to be due
3 and forthcoming. The grant or revenue anticipation financing may not be used in anticipation of
4 increased federal aid highway grants or increased state highway user revenue funds, and the
5 financing may not be obligated for road construction that cannot be financed from known
6 sources of grants or revenue. The department may pledge any federal aid grants received or to
7 be received for debt service and related issuance costs for evidences of indebtedness issued
8 under this section directly to a trustee in trust for payment to holders of the evidences of
9 indebtedness. The department may also pledge any biennially appropriated revenues for debt
10 service on the evidences of indebtedness directly to a trustee in trust for payment to holders of
11 the evidences of indebtedness. Any evidences of indebtedness issued under this section are
12 not general obligations or debt of the state, the department, or any public officer or employee of
13 the department or this state. The principal of and interest on the evidences of indebtedness are
14 limited obligations payable solely from grants or revenues received or to be received by the
15 department. The department may capitalize from proceeds of the evidences of indebtedness all
16 expenses incidental to issuing the evidences of indebtedness, including any reserves for
17 payment of the evidences of indebtedness.

18 **SECTION 12. AMENDMENT.** Section 54-27-19 of the North Dakota Century Code is
19 amended and reenacted as follows:

20 **54-27-19. Highway tax distribution fund - State treasurer to make allocation to state,**
21 **counties, and cities.**

22 A highway tax distribution fund is created as a special fund in the state treasury into which
23 must be deposited the moneys available by law from collections of motor vehicle registration
24 and related fees, fuels taxes, special fuels taxes, use taxes, and special fuels excise taxes. The
25 state treasurer shall transfer the first five million five hundred thousand dollars per biennium
26 from the highway tax distribution fund to the state highway fund for the purpose of providing
27 administrative assistance to other transferees. After the transfer of the first five million five
28 hundred thousand dollars, any moneys in the highway tax distribution fund must be allocated
29 and transferred monthly by the state treasurer, as follows:

30 1. ~~Sixty one and three tenths~~Sixty percent must be transferred monthly to the state
31 department of transportation and placed in a state highway fund.

- 1 2. ~~Two and seven-tenths~~Three and four-tenths percent must be transferred monthly to
2 the township highway aid fund.
- 3 3. ~~One and five-tenths~~One and sixth-tenths percent must be transferred monthly to the
4 public transportation fund.
- 5 4. ~~Thirty-four and five-tenths~~Thirty-five percent must be allocated to the counties of this
6 state in proportion to the number of vehicle registrations credited to each county. Each
7 county must be credited with the certificates of title of vehicles registered by residents
8 of the county. The state treasurer shall compute and distribute the counties' share
9 monthly after deducting the incorporated cities' share. All the moneys received by the
10 counties from the highway tax distribution fund must be set aside in a separate fund
11 called the "highway tax distribution fund" and must be appropriated and applied solely
12 for highway purposes in accordance with section 11 of article X of the Constitution of
13 North Dakota. The state treasurer shall compute and distribute monthly the sums
14 allocated to the incorporated cities within each county according to the formulas in this
15 subsection using the incorporated cities' populations as determined by the last official
16 regular or special federal census or the census taken in accordance with the
17 provisions of chapter 40-02 in case of a city incorporated subsequent to the census.
- 18 a. For counties having no cities with a population of ten thousand or more, twenty-
19 seven percent of the total county allocation must be distributed to all of the
20 incorporated cities within the county on a countywide per capita basis. The
21 remaining county allocation amount must be transferred into the county highway
22 tax distribution fund.
- 23 b. For each county having a city with a population of ten thousand or more, the
24 amount transferred each month into the county highway tax distribution fund
25 must be the difference between the amount allocated to that county pursuant to
26 this subsection and the total amount allocated and distributed to the incorporated
27 cities in that county as computed according to the following formula:
- 28 (1) A statewide per capita average as determined by calculating twenty-seven
29 percent of the amount allocated to all of the counties under this subsection
30 divided by the total population of all of the incorporated cities in the state.

- 1 (2) The share distributed to each city in the county having a population of less
2 than one thousand must be determined by multiplying the population of that
3 city by the product of 1.50 times the statewide per capita average computed
4 under paragraph 1.
- 5 (3) The share distributed to each city in the county having a population of one
6 thousand to four thousand nine hundred ninety-nine, inclusive, must be
7 determined by multiplying the population of that city by the product of 1.25
8 times the statewide per capita average computed under paragraph 1.
- 9 (4) The share distributed to each city in the county having a population of five
10 thousand or more must be determined by multiplying the population of that
11 city by the statewide per capita average for all such cities, which per capita
12 average must be computed as follows: the total of the shares computed
13 under paragraphs 2 and 3 for all cities in the state having a population of
14 less than five thousand must be subtracted from the total incorporated cities'
15 share in the state as computed under paragraph 1 and the balance
16 remaining must then be divided by the total population of all cities of five
17 thousand or more in the state.
- 18 5. The moneys allocated to the incorporated cities must be distributed to them monthly
19 by the state treasurer and must be deposited by the cities in a separate fund and may
20 only be used in accordance with section 11 of article X of the Constitution of North
21 Dakota and an incorporated city may use the fund for the construction, reconstruction,
22 repair, and maintenance of public highways within or outside the city pursuant to an
23 agreement entered into between the city and any other political subdivision as
24 authorized by section 54-40-08.

25 **SECTION 13.** A new section to chapter 54-27 of the North Dakota Century Code is created
26 and enacted as follows:

27 **Legacy earnings fund - State treasurer - Legacy fund distribution - Allocations.**

- 28 1. There is created in the state treasury the legacy earnings fund. The fund consists of all
29 moneys distributed by the state treasurer from the legacy fund pursuant to section 26
30 of article X of the Constitution of North Dakota. The distribution from the legacy fund
31 on July first of each odd-numbered year must be equal to eight percent of the five-year

1 average value of the legacy fund balance as reported by the state investment board.

2 The average value of the legacy fund balance must be calculated using the fund

3 balance at the end of each fiscal year for the five-year period ending with the most

4 recently completed even-numbered fiscal year.

5 2. From the amount distributed to the legacy earnings fund under subsection 1, the state
6 treasurer shall allocate the funding in July of each odd-numbered year in the following
7 order:

8 a. The first one hundred two million six hundred twenty-four thousand dollars or an
9 amount equal to the amount appropriated from the legacy sinking and interest
10 fund for debt service payments for a biennium, whichever is less, to the legacy
11 sinking and interest fund under section 6-09.4-10.1.

12 b. The remaining amount as follows:

13 (1) Twenty-five percent to the highway fund.

14 (2) The remainder to the legacy property tax relief fund.

15 **SECTION 14. AMENDMENT.** Section 57-40.3-10 of the North Dakota Century Code is
16 amended and reenacted as follows:

17 **57-40.3-10. Transfer of revenue.**

18 After the deposits under sections 57-39.2-26.1, 57-39.2-26.2, and 57-39.2-26.3, moneys
19 collected and received under this chapter must be deposited monthly in the state treasury and
20 allocated as follows:

21 ~~1. Fifty percent to the general fund; and~~

22 ~~2. The remaining fifty percent to the flexible transportation general fund.~~

23 **SECTION 15. AMENDMENT.** Subsection 1 of section 57-43.1-02 of the North Dakota
24 Century Code is amended and reenacted as follows:

25 1. Except as otherwise provided in this section, a tax of ~~twenty-three~~twenty-eight cents
26 per gallon [3.79 liters] is imposed on all motor vehicle fuel sold or used in this state.

27 **SECTION 16. AMENDMENT.** Subsection 1 of section 57-43.2-02 of the North Dakota
28 Century Code is amended and reenacted as follows:

29 1. Except as otherwise provided in this chapter, an excise tax of ~~twenty-three~~twenty-eight
30 cents per gallon [3.79 liters] is imposed on the sale or delivery of all special fuel sold or
31 used in this state. For the purpose of determining the tax upon compressed natural

1 gas and liquefied natural gas under this section, one hundred twenty cubic feet [3.40
2 cubic meters] of compressed natural gas, and one and seven-tenths gallons [6.44
3 liters] of liquefied natural gas is equal to one gallon [3.79 liters] of other special fuel.

4 **SECTION 17. AMENDMENT.** Section 57-51.1-07.5 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **57-51.1-07.5. State share of oil and gas taxes - Deposits.**

7 From the revenues designated for deposit in the state general fund under chapters 57-51
8 and 57-51.1, the state treasurer shall deposit the revenues received each biennium in the
9 following order:

- 10 1. The first two hundred thirty million dollars into the state general fund;
- 11 2. The next two hundred fifty million dollars into the social service fund;
- 12 3. The next seventy-five million dollars into the budget stabilization fund, but not in an
13 amount that would bring the balance in the fund to more than the limit in section
14 54-27.2-01;
- 15 4. The next two hundred thirty million dollars into the state general fund;
- 16 5. The next ten million dollars into the lignite research fund;
- 17 6. The next twenty million dollars into the state disaster relief fund, but not in an amount
18 that would bring the unobligated balance in the fund to more than twenty million
19 dollars;
- 20 7. The next ~~four hundred~~ three hundred eighty million dollars into the strategic investment
21 and improvements fund;
- 22 8. The next sixty-five million dollars to the public employees retirement fund for the main
23 system plan;
- 24 9. ~~The next fifty-nine million seven hundred fifty thousand dollars, or the amount~~
25 ~~necessary to provide for twice the amount of the distributions under subsection 2 of~~
26 ~~section 57-51.1-07.7, into the funds designated for infrastructure development in~~
27 ~~non-oil-producing counties under sections 57-51.1-07.7 and 57-51.1-07.8 with fifty-~~
28 ~~percent deposited into the municipal infrastructure fund and fifty percent deposited into~~
29 ~~the county and township infrastructure fund;~~
- 30 10. ~~The next one hundred seventy million two hundred fifty thousand dollars or the amount~~
31 ~~necessary to provide a total of two hundred thirty million dollars into the funds-~~

1 ~~designated for infrastructure development in non-oil-producing counties under sections-~~
2 ~~57-51.1-07.7 and 57-51.1-07.8 with fifty percent deposited into the municipal-~~
3 ~~infrastructure fund and fifty percent deposited into the county and township-~~
4 ~~infrastructure fund;~~

5 44. The next twenty million dollars into the airport infrastructure fund; and

6 ~~42-10.~~ Any additional revenues into the strategic investment and improvements fund.

7 **SECTION 18. REPEAL.** Sections 21-10-12, 21-10-13, 54-27-19.3, and 54-27-19.4 of the
8 North Dakota Century Code are repealed.

9 **SECTION 19. DEPARTMENT OF TRANSPORTATION - UNITED STATES HIGHWAY 85**
10 **PROJECT - REPORT.** When the request for bids for construction on the last segment of the
11 United States highway 85 project between interstate highway 94 and North Dakota highway 200
12 commences, the department of transportation shall prepare and complete an environmental
13 impact statement to construct a four-lane highway for the remaining sections of the Theodore
14 Roosevelt expressway as described in section 24-01-54 which do not have four lanes from the
15 South Dakota border to interstate highway 94 and from Williston to the Montana border. The
16 department shall provide reports to the legislative management regarding the costs and status
17 of the impact statement process.

18 **SECTION 20. REST AREA COOPERATIVE AGREEMENT.** Notwithstanding any other
19 provision of law, the director of the department of transportation may expend moneys from the
20 state highway fund or any moneys within the limits of legislative appropriations for the purpose
21 of constructing a rest area and visitor center in western North Dakota during the biennium
22 beginning July 1, 2025, and ending June 30, 2027.

23 **SECTION 21. MISCELLANEOUS EXPENSES FOR DEPARTMENT OF**
24 **TRANSPORTATION FACILITIES.** The department of transportation may expend funds for
25 workplace appliances limited to coffee makers, microwaves, and refrigerators, for the biennium
26 beginning July 1, 2025, and ending June 30, 2027.

27 **SECTION 22. EXEMPTION - UNEXPENDED APPROPRIATIONS.** The following
28 appropriations are not subject to the provisions of section 54-44.1-11 and may be continued into
29 the biennium beginning July 1, 2025, and ending June 30, 2027:

- 1 1. The sum of \$100,000,000 appropriated from special funds for the purpose of road and
2 bridge construction projects in subsection 2 of section 13 of chapter 15 of the 2021
3 Session Laws;
- 4 2. The sum of \$317,000,000 appropriated from federal funds for state, county, and
5 township road and bridge projects in section 7 of chapter 548 of the 2021 Session
6 Laws;
- 7 3. The sum of \$61,700,060 appropriated from federal funds for surface transportation
8 grants in subdivision 10 of section 1 of chapter 27 of the 2021 Session Laws;
- 9 4. The sum of \$13,660,000 appropriated from special funds for information technology
10 projects in section 1 of chapter 40 of the 2021 Session Laws;
- 11 5. The sum of \$9,125,000 appropriated from the general fund in the operating expenses
12 line item relating to information technology projects in section 1 of chapter 12 of the
13 2023 Session Laws;
- 14 6. The sum of \$2,500,000 appropriated from special funds to match funding from the
15 state of Minnesota and other sources for studies, preliminary engineering, and
16 environmental studies to address northern Red River valley infrastructure affected by
17 flooding in section 2 of chapter 12 of the 2023 Session Laws;
- 18 7. The sum of \$5,000,000 appropriated from special funds for an environmental study of
19 a portion of United States highway 52, in section 1 of chapter 12 of the 2023 Session
20 Laws;
- 21 8. The sum of \$757,000 included in the deferred maintenance funding pool line item and
22 transferred to the department of transportation pursuant to section 9 of chapter 640 of
23 the 2023 Special Session Session Laws; and
- 24 9. The sum of \$161,000,000 appropriated from special funds for flexible transportation
25 fund projects in section 1 of chapter 12 of the 2023 Session Laws.

26 **SECTION 23. EFFECTIVE DATE.** Section 14 of this Act is effective for motor vehicle excise
27 tax collections transmitted to the state treasurer after July 31, 2025. Sections 15 and 16 of this
28 Act are effective for taxable events occurring after June 30, 2025.