

**STATEMENT OF PURPOSE OF AMENDMENT:****Senate Bill No. 2012 - Funding Summary**

	<b>Executive Budget</b>	<b>Final Legislative Action</b>	<b>Comparison To Executive Budget</b>
Department of Transportation			
Administration	\$27,227,294	\$27,174,242	(\$53,052)
Driver's and vehicle services	20,081,797	20,035,352	(46,445)
Highways	736,823,693	863,644,411	126,820,718
Fleet services	43,280,168	43,268,038	(12,130)
Total all funds	<u>\$827,412,952</u>	<u>\$954,122,043</u>	<u>\$126,709,091</u>
Less estimated income	<u>827,412,952</u>	<u>954,122,043</u>	<u>126,709,091</u>
General fund	\$0	\$0	\$0
FTE	1044.50	1044.50	0.00
Bill Total			
Total all funds	\$827,412,952	\$954,122,043	\$126,709,091
Less estimated income	<u>827,412,952</u>	<u>954,122,043</u>	<u>126,709,091</u>
General fund	\$0	\$0	\$0
FTE	1044.50	1044.50	0.00

**Senate Bill No. 2012 - Department of Transportation - Senate Action**

	<b>Executive Budget</b>	<b>Senate Changes</b>	<b>Senate Version</b>
Administration	\$27,227,294	(\$41,446)	\$27,185,848
Driver's and vehicle services	20,081,797	(33,091)	20,048,706
Highways	736,823,693	53,174,005	789,997,698
Fleet services	43,280,168	(9,010)	43,271,158
Total all funds	<u>\$827,412,952</u>	<u>\$53,090,458</u>	<u>\$880,503,410</u>
Less estimated income	<u>827,412,952</u>	<u>53,090,458</u>	<u>880,503,410</u>
General fund	\$0	\$0	\$0
FTE	1044.50	0.00	1044.50

**Department No. 801 - Department of Transportation - Detail of Senate Changes**

	<b>Reduces Compensation Package to 3/4</b>	<b>Adds Funding from GARVEE Bonds<sup>1</sup></b>	<b>Total Senate Changes</b>
Administration	(\$41,446)		(\$41,446)
Driver's and vehicle services	(33,091)		(33,091)
Highways	(325,995)	53,500,000	53,174,005
Fleet services	(9,010)		(9,010)
Total all funds	<u>(\$409,542)</u>	<u>\$53,500,000</u>	<u>\$53,090,458</u>
Less estimated income	<u>(409,542)</u>	<u>53,500,000</u>	<u>53,090,458</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

<sup>1</sup> Funding for the Highway 2 four-lane project and the Memorial Bridge project in Bismarck is added from grant anticipation revenue vehicle (GARVEE) bond proceeds. A section is added as an emergency authorizing the department to issue GARVEE bonds.

Sections are added:

- Requiring the department to continue to maintain bridges that it is currently maintaining over navigable waters in the state.
- Naming the replacement bridge for the Liberty Memorial Bridge to be built in Bismarck/Mandan the Medal of Honor Bridge.

#### Senate Bill No. 2012 - Department of Transportation - House Action

	Executive Budget	Senate Version	House Changes	House Version
Administration	\$27,227,294	\$27,185,848	(\$11,606)	\$27,174,242
Driver's and vehicle services	20,081,797	20,048,706	(13,354)	20,035,352
Highways	736,823,693	789,997,698	73,096,713	863,094,411
Fleet services	43,280,168	43,271,158	(3,120)	43,268,038
Total all funds	\$827,412,952	\$880,503,410	\$73,068,633	\$953,572,043
Less estimated income	827,412,952	880,503,410	73,068,633	953,572,043
General fund	\$0	\$0	\$0	\$0
FTE	1044.50	1044.50	0.00	1044.50

#### Department No. 801 - Department of Transportation - Detail of House Changes

	Reduces Recommended Funding for Health Insurance	Adds Funding for One Call <sup>1</sup>	Adds Highway Construction Funds <sup>2</sup>	Adds Funding for Emergency Relief Projects <sup>3</sup>	Adds Funding for Roadway Plan <sup>4</sup>	Total House Changes
Administration	(\$11,606)					(\$11,606)
Driver's and vehicle services	(13,354)					(13,354)
Highways	(100,589)	168,520	17,900,000	54,128,782	1,000,000	73,096,713
Fleet services	(3,120)					(3,120)
Total all funds	(\$128,669)	\$168,520	\$17,900,000	\$54,128,782	\$1,000,000	\$73,068,633
Less estimated income	(128,669)	168,520	17,900,000	54,128,782	1,000,000	73,068,633
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> The Highways line item is increased by \$168,520 from the highway fund for costs of complying with provisions of Senate Bill No. 2209 which require the department to provide data on the location of utilities on highway rights of way.

<sup>2</sup> The highways line item is increased by \$17,900,000, of which \$15,900,000 is federal funds and \$2,000,000 is from the highway fund for highway projects in anticipation of receiving \$202.3 million of federal highway construction funds in federal fiscal year 2005 and \$205 million in federal fiscal year 2006.

<sup>3</sup> The highways line item is increased by \$54,128,782, of which \$43,968,332 is federal funds, \$8,472,520 is state matching, and \$1,687,930 is from the counties for emergency relief projects on highways.

<sup>4</sup> The highways line item is increased by \$1,000,000 from funds transferred from the cities' and counties' share of the additional revenue generated by this bill for the development of a roadway plan for cities and counties. A section is added precluding the cities and counties from receiving the additional revenue resulting from provisions of this bill until they develop, in collaboration with the Department of Transportation, a roadway plan.

The section added by the Senate requiring the department to maintain bridges over navigable waters in the state that it is currently maintaining is changed to require the department to maintain the structural integrity of these bridges unless the department enters into an agreement with the municipality.

A section is added delaying the effective date from January 1, 2006, to January 1, 2008, of provisions allowing a landowner owning land next to a no-mow area to hay the no-mow or managed-mow area after July 15 without payment or penalty.

The section added by the Senate authorizing the department to issue grant anticipation revenue vehicle (GARVEE) bonds is changed to limit the authorization to only the Liberty Memorial Bridge project and the United States Highway 2 project.

The section added by the Senate naming the replacement bridge for the Liberty Memorial Bridge between Bismarck and Mandan the Medal of Honor Bridge is changed to name the replacement bridge the Liberty Memorial Bridge.

Sections are added providing additional state highway revenue beginning in the 2005-07 biennium by:

- Increasing the motor vehicle fuel (gasoline and gasohol) and special fuels (diesel) tax rate by 2 cents per gallon, from 21 to 23 cents. This revenue will be deposited in the highway tax distribution fund.
- Increasing the motor vehicle fuel (gasoline and gasohol) tax rate by an additional 2 cents per gallon, from 23 to 25 cents each year during the months of May through October. This revenue will be deposited in the highway tax distribution fund.
- Increasing annual motor vehicle registration fees by \$10. This revenue will be deposited directly in the state highway fund providing a total of \$13 of each registration fee that is deposited directly in the highway fund.

The Department of Transportation estimates these increases will generate \$41.4 million of additional revenue during the 2005-07 biennium, of which \$31 million will be deposited in the state highway fund, \$6.5 million will be distributed to counties and \$3.9 million to cities.

Sections are added providing that effective July 1, 2009, collections from one percent of the current five percent motor vehicle excise tax will be deposited in the state highway fund rather than in the state aid distribution fund and the general fund.

#### Senate Bill No. 2012 - Department of Transportation - Conference Committee Action

	Executive Budget	Senate Version	Conf. Com. Changes	Conf. Com. Version	House Version	Comparison to House
Administration	\$27,227,294	\$27,185,848	(\$11,606)	\$27,174,242	\$27,174,242	
Driver's and vehicle services	20,081,797	20,048,706	(13,354)	20,035,352	20,035,352	
Highways	736,823,693	789,997,698	73,646,713	863,644,411	863,094,411	550,000
Fleet services	43,280,168	43,271,158	(3,120)	43,268,038	43,268,038	
Total all funds	\$827,412,952	\$880,503,410	\$73,618,633	\$954,122,043	\$953,572,043	\$550,000
Less estimated income	827,412,952	880,503,410	73,618,633	954,122,043	953,572,043	550,000
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	1044.50	1044.50	0.00	1044.50	1044.50	0.00

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

	Reduces Recommended Funding for Health Insurance	Adds Funding for One Call <sup>1</sup>	Adds Highway Construction Funds <sup>2</sup>	Adds Funding for Emergency Relief Projects <sup>3</sup>	Adds Funding for Public Transportation grants <sup>4</sup>	Total Conference Committee Changes
Administration	(\$11,606)					(\$11,606)
Driver's and vehicle services	(13,354)					(13,354)
Highways	(100,589)	168,520	17,900,000	54,128,782	1,550,000	73,646,713
Fleet services	(3,120)					(3,120)
Total all funds	(\$128,669)	\$168,520	\$17,900,000	\$54,128,782	\$1,550,000	\$73,618,633
Less estimated income	(128,669)	168,520	17,900,000	54,128,782	1,550,000	73,618,633
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> The Highways line item is increased by \$168,520 from the highway fund for costs of complying with provisions of Senate Bill No. 2209 which require the department to provide data on the location of utilities on highway rights of way, the same as the House version.

<sup>2</sup> The highways line item is increased by \$17,900,000, of which \$15,900,000 is federal funds and \$2,000,000 is from the highway fund for highway projects in anticipation of receiving \$202.3 million of federal highway construction funds in federal fiscal year 2005 and \$205 million in federal fiscal year 2006, the same as the House version.

<sup>3</sup> The highways line item is increased by \$54,128,782, of which \$43,968,332 is federal funds, \$8,472,520 is state matching, and \$1,687,930 is from the counties for emergency relief projects on highways, the same as the House version.

<sup>4</sup> The highway line item is increased by \$1,550,000 from the public transportation fund to increase the funding available for public transportation grants as a result of provisions of Senate Bill No. 2348, which increase the public transportation fee on motor vehicle registrations from \$2 to \$3 per year.

The section added by the Senate requiring the department to maintain bridges over navigable waters in the state that it is currently maintaining is changed to require the department to maintain the structural integrity of these bridges unless the department enters into an agreement with the municipality, the same as the House version.

A section is added delaying the effective date from January 1, 2006, to January 1, 2008, of provisions allowing a landowner owning land next to a no-mow area to hay the no-mow or managed-mow area after July 15 without payment or penalty, the same as the House version.

The section added by the Senate authorizing the department to issue grant anticipation revenue vehicle (GARVEE) bonds is changed to limit the authorization to only the Liberty Memorial Bridge project and the United States Highway 2 project, the same as the House version.

The section added by the Senate naming the replacement bridge for the Liberty Memorial Bridge between Bismarck and Mandan the Medal of Honor Bridge is changed to name the replacement bridge the Liberty Memorial Bridge, the same as the House version.

A section is added providing for refunds of fuels taxes paid by Native Americans.

Sections are added providing additional state highway revenue beginning in the 2005-07 biennium by:

- Increasing the motor vehicle fuel (gasoline and gasohol) and special fuels (diesel) tax rate by 2 cents per gallon, from 21 to 23 cents. This revenue will be deposited in the highway tax distribution fund.
- Making pickup registration fees equivalent to passenger vehicles by providing for 50 percent of the increase necessary to make this change during the 2005-07 biennium and the remaining increase beginning July 1, 2007. This revenue will be deposited in the highway tax distribution fund.
- Increasing annual motor vehicle registration fees by \$10. This revenue will be deposited directly in the state highway fund providing a total of \$13 of each registration fee that is deposited directly in the highway fund.

A section is added allocating motor vehicle excise tax revenues between the general fund and the state highway fund. State aid distribution fund allocations from motor vehicle excise tax collections are not affected. This section was vetoed by the Governor.

The following provisions included in the House version for generating additional state highway revenue are removed:

- Increasing the motor vehicle fuel (gasoline and gasohol) and special fuels (diesel) tax rate by 2 cents per gallon, from 21 to 23 cents for deposit in the highway tax distribution fund.
- Increasing the motor vehicle fuel (gasoline and gasohol) tax rate by an additional 2 cents per gallon, from 23 to 25 cents each year during the months of May through October, for deposited in the highway tax distribution fund.
- Increasing annual motor vehicle registration fees by \$10, for deposit directly in the state highway fund providing a total of \$13 of each registration fee that is deposited directly in the highway fund.

Sections added by the House are removed which would have provided that effective July 1, 2009, collections from one percent of the current five percent motor vehicle excise tax that would have been deposited in the state highway fund rather than in the state aid distribution fund and the general fund.

The section added by the House is removed which would have precluded cities and counties from receiving the additional revenue resulting from provisions of this bill until they develop, in collaboration with the Department of Transportation, a roadway plan.

Provisions added by the House are also removed which would have provided \$1,000,000 to the Department of Transportation from funds transferred from the cities' and counties' share of the additional revenue generated by this bill for the development of a roadway plan for cities and counties.