

**SENATE BILL NO. 2126**

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation to the department of transportation for the  
2 construction and maintenance of state highways and counties; to provide an appropriation to  
3 the housing finance agency for affordable housing projects; to provide an appropriation to the  
4 office of the attorney general for early hiring of criminal investigators; to provide an appropriation  
5 to the state department of health for early hiring of environmental scientists; to provide an  
6 appropriation to the department of trust lands for allocations to cities impacted by oil  
7 development; to provide for transfers from the general fund; and to declare an emergency.

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

9 **SECTION 1. TRANSFER - GENERAL FUND TO HIGHWAY FUND.** There is appropriated  
10 out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum  
11 of \$550,000,000, or so much of the sum as may be necessary, which the office of management  
12 and budget shall transfer to the highway fund for construction and maintenance of state and  
13 county highways for the period beginning with the effective date of this Act and ending June 30,  
14 2017. The funding provided in this section is considered a one-time funding item.

15 **SECTION 2. APPROPRIATION. DEPARTMENT OF TRANSPORTATION - STATE**  
16 **HIGHWAY CONSTRUCTION AND MAINTENANCE.** There is appropriated out of any moneys  
17 in the highway fund in the state treasury, not otherwise appropriated, the sum of \$450,000,000,  
18 or so much of the sum as may be necessary, to the department of transportation for  
19 construction and maintenance of state transportation infrastructure for the period beginning with  
20 the effective date of this Act and ending June 30, 2017. The funding provided in this section  
21 may be applied to engineering, design, and construction costs incurred on related projects as of  
22 January 1, 2015, and is considered a one-time funding item.

23 **SECTION 3. APPROPRIATION - DEPARTMENT OF TRANSPORTATION -**  
24 **TRANSPORTATION FUNDING DISTRIBUTIONS.** There is appropriated out of any moneys in

1 the highway fund in the state treasury, not otherwise appropriated, the sum of \$100,000,000, or  
2 so much of the sum as may be necessary, to the department of transportation for the period  
3 beginning with the effective date of this Act and ending June 30, 2017, for the purpose of  
4 allocations among cities, counties, and townships within counties that received no allocation of  
5 funding or a total allocation under section 57-51-15 of less than \$500,000 in the state fiscal year  
6 ending June 30, 2014. The funding provided in this section is considered a one-time funding  
7 item and must be used for construction and maintenance of transportation infrastructure. The  
8 department of transportation shall distribute the funding provided under this section as follows:

9 1. \$20,000,000 must be allocated equally among each organized and unorganized  
10 township. The allocation for each organized township must be transferred directly to  
11 the respective township. The allocation for each unorganized township must be  
12 transferred to the county in which the unorganized township is located.

13 2. \$80,000,000 must be allocated among cities and counties as follows:

14 a. Each city with a population of 4,999 or less must receive a direct allocation from  
15 the department of transportation in accordance with the formula in subsection 4  
16 of section 54-27-19.

17 b. For each county or city with a population of 5,000 or more, funding must be  
18 distributed in accordance with the formula in subsection 4 of section 54-27-19  
19 and the following provisions.

20 (1) Each county or city requesting funding under this section shall submit the  
21 request in accordance with criteria developed by the department of  
22 transportation.

23 (a) The city improvement projects must be consistent with projects  
24 identified in the city's capital improvement plan or long-range  
25 transportation plan that will rehabilitate or reconstruct the  
26 transportation infrastructure within the city.

27 (b) The request from counties must include a proposed plan for funding  
28 projects that rehabilitate or reconstruct the transportation  
29 infrastructure within the county.

- 1 (c) The plan must be based on actual transportation infrastructure  
2 conditions and the integration of projects with state highway and other  
3 city or county projects.
- 4 (2) The department of transportation, in consultation with the city or county,  
5 may approve the plan or approve the plan with amendments.
- 6 (3) The funding appropriated in this section may be used for transportation  
7 infrastructure development costs.
- 8 (4) Upon approval of the plan, the department of transportation shall transfer to  
9 the city or county the approved funding for engineering and plan  
10 development costs.
- 11 (5) Upon execution of a construction contract by the city or county, the  
12 department of transportation shall transfer to the city or county the approved  
13 funding to be distributed for rehabilitation and reconstruction projects.
- 14 (6) Each recipient city and county shall report to the department of  
15 transportation upon awarding of each contract and upon completion of each  
16 project in a manner prescribed by the department.
- 17 3. The funding provided in this section may be applied to engineering, design, and  
18 construction costs incurred on related projects as of January 1, 2015.

19 **SECTION 4. APPROPRIATION - TRANSFER - GENERAL FUND TO HOUSING**

20 **INCENTIVE FUND.** There is appropriated out of any moneys in the general fund in the state  
21 treasury, not otherwise appropriated, the sum of \$20,000,000, or so much of the sum as may be  
22 necessary, which the office of management and budget shall transfer to the housing incentive  
23 fund, for the period beginning with the effective date of this Act and ending June 30, 2017. The  
24 funding provided in this section is considered a one-time funding item.

25 **SECTION 5. APPROPRIATION - ATTORNEY GENERAL.** There is appropriated out of any  
26 moneys in the general fund in the state treasury, not otherwise appropriated, the sum of  
27 \$1,000,000, or so much of the sum as may be necessary, to the attorney general for up to ten  
28 full-time equivalent positions to assist with law enforcement activities in areas impacted by oil  
29 development, for the period beginning with the effective date of this Act and ending June 30,  
30 2017.

1       **SECTION 6. APPROPRIATION - STATE DEPARTMENT OF HEALTH.** There is  
2 appropriated out of any moneys in the general fund in the state treasury, not otherwise  
3 appropriated, the sum of \$2,000,000, or so much of the sum as may be necessary, to the state  
4 department of health for the purpose of hiring up to fifteen additional environmental scientist  
5 full-time equivalent positions for the period beginning with the effective date of this Act and  
6 ending June 30, 2015.

7       **SECTION 7. APPROPRIATION - BOARD OF UNIVERSITY AND SCHOOL LANDS -**  
8 **STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** There is appropriated out of any  
9 moneys in the strategic investment and improvements fund in the state treasury, not otherwise  
10 appropriated, the sum of \$300,000,000, or so much of the sum as may be necessary, to the  
11 board of university and school lands for providing allocations to cities located in the ten largest  
12 oil-producing counties in North Dakota in the state fiscal year ending June 30, 2014, for the  
13 period beginning with the effective date of this Act and ending June 30, 2017. The funding  
14 provided in this section is considered a one-time funding item.

15       **SECTION 8. EMERGENCY.** This Act is declared to be an emergency measure.