

**Sixty-third Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 8, 2013**

SENATE BILL NO. 2176
(Senators Holmberg, Wardner, G. Lee)
(Representatives Carlson, Delzer, Thoreson)

AN ACT to provide an appropriation to the department of transportation for the construction and maintenance of state highways; to provide an appropriation to the state treasurer for transportation funding distributions; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION - DEPARTMENT OF TRANSPORTATION - STATE HIGHWAY CONSTRUCTION AND MAINTENANCE. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$620,000,000, or so much of the sum as may be necessary, to the department of transportation for the construction and maintenance of state highways, for the period beginning with the effective date of this Act and ending June 30, 2015. The funding provided in this section is considered a one-time funding item.

SECTION 2. APPROPRIATION - STATE TREASURER - TRANSPORTATION FUNDING DISTRIBUTIONS. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$100,000,000, or so much of the sum as may be necessary, to the state treasurer for the purpose of providing transportation funding distributions, for the period beginning with the effective date of this Act and ending June 30, 2015. The funding provided in this section is considered a one-time funding item. The state treasurer shall distribute the funds provided under this section as soon as possible as follows:

1. Sixty-four million dollars to non-oil-producing counties and cities pursuant to subsection 4 of section 54-27-19.
2. Sixteen million dollars to counties and townships in non-oil-producing counties pursuant to section 54-27-19.1. Organized townships are not required to provide matching funds to receive distributions under this section.
3. Twenty million dollars to counties and townships in non-oil-producing counties through a distribution of \$15,000 to each organized township and a distribution of \$15,000 for each unorganized township to the county in which the unorganized township is located. If any funds remain after the distributions provided under this subsection, the state treasurer shall distribute eighty percent of the remaining funds to counties and cities pursuant to the method provided in subsection 1 and shall distribute twenty percent of the remaining funds to counties and townships pursuant to the method provided in subsection 2.

For purposes of this section, a "non-oil-producing county" means a county that received no allocation of funding or a total allocation under section 57-51-15 of less than \$500,000 for state fiscal year 2012. Any funds received by a county under this section for an unorganized township distribution must be used for roadway purposes in those unorganized townships located in the county. All funds distributed under this section must be used for extraordinary roadway maintenance purposes.

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

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-third Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2176 and that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote: Yeas 47 Nays 0 Absent 0

President of the Senate

Secretary of the Senate

This certifies that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote: Yeas 88 Nays 0 Absent 6

Speaker of the House

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2013.

Approved at _____ M. on _____, 2013.

Governor

Filed in this office this _____ day of _____, 2013,

at _____ o'clock _____ M.

Secretary of State