

**Sixty-sixth Legislative Assembly of North Dakota
In Regular Session Commencing Thursday, January 3, 2019**

HOUSE BILL NO. 1230
(Representatives Schreiber-Beck, D. Anderson, Hatlestad, Roers Jones, Zubke)
(Senators Klein, Kreun, J. Roers)

AN ACT to amend and reenact section 54-06-37 of the North Dakota Century Code, relating to the lease of a manned aircraft in an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 54-06-37 of the North Dakota Century Code is amended and reenacted as follows:

54-06-37. Authorization to purchase or lease aircraft - Legislative assembly or budget section approval - Exception.

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1. As used in this section, "airworthy" means an aircraft conforms to its type design and is in a condition for safe operation.
2. Except as otherwise provided in subsections 3 and 4, a state agency or other entity of state government may not purchase or lease ~~an~~ a manned aircraft without specific authorization from the legislative assembly or the budget section of the legislative management if the legislative assembly is not in session.
3. In an emergency circumstance, a state agency, department, or institution may lease a manned aircraft without approval from the legislative assembly or the budget section if an aircraft currently leased or owned by the state agency, department, or institution is not airworthy. The emergency lease under this subsection may extend only until the aircraft deemed not airworthy is determined to be airworthy.
4. A state agency, department, or institution may purchase a replacement aircraft without approval from the legislative assembly or the budget section if an aircraft is destroyed beyond repair and only insurance proceeds are used for the purchase of the replacement aircraft. If the purchase price of a replacement aircraft exceeds the insurance proceeds, the state agency, department, or institution must receive authorization in accordance with subsection 2.
5. This section does not apply to aircraft purchased or leased by the office of the adjutant general or the university of North Dakota school of aviation.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-sixth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1230.

House Vote: Yeas 81 Nays 9 Absent 4

Senate Vote: Yeas 47 Nays 0 Absent 0

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2019.

Approved at _____ M. on _____, 2019.

Governor

Filed in this office this _____ day of _____, 2019,

at _____ o'clock _____ M.

Secretary of State