

SENATE BILL NO. 2328

Introduced by

Senators Wanzek, G. Lee, Robinson

Representatives Brandenburg, D. Johnson, Kempenich

1 A BILL for an Act to provide an appropriation to the department of transportation for a county
2 and township road bridge rehabilitation and reconstruction program; to provide an appropriation
3 to the upper great plains transportation institute to continue the studies of county and township
4 road and bridge needs; to provide an exemption; to provide for a budget section report; and to
5 declare an emergency.

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

7 **SECTION 1. APPROPRIATION - DEPARTMENT OF TRANSPORTATION - STRATEGIC**
8 **INVESTMENT AND IMPROVEMENTS FUND - EXEMPTION.** 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 \$95,700,000, or so much of the sum as may be necessary, to the
11 department of transportation for a county and township road bridge rehabilitation and
12 reconstruction program, for the period beginning with the effective date of this Act and ending
13 June 30, 2015.

- 14 1. The funding provided in this section must be used to rehabilitate or reconstruct county
15 and township road bridges. Funding allocations to counties are to be made by the
16 department of transportation based on the needs assessment study conducted by the
17 upper great plains transportation institute entitled "infrastructure investment needs of
18 county and township bridges in North Dakota", dated December 5, 2012. Of the total
19 funding provided in this section, \$66,170,000 must be allocated for projects that
20 rehabilitate or reconstruct bridges rated "serious" and \$29,530,000 must be allocated
21 for projects that rehabilitate or reconstruct bridges rated "critical".
- 22 2. Each county requesting funding under this section for a county or township road
23 bridge project or for multiple projects shall submit the request in accordance with
24 criteria developed by the department of transportation. The request must include a

- 1 proposed plan for funding projects that rehabilitate or reconstruct county and township
2 road bridges in the county. The department of transportation, in consultation with the
3 county, may approve the plan or approve the plan with amendments.
- 4 3. The funding provided in this section may be used to provide up to ninety percent of the
5 cost of the approved bridge projects, including engineering and plan development
6 costs, not to exceed the funding available for that county.
- 7 4. Upon approval of a plan, the department of transportation shall transfer to the county
8 the approved funding for engineering and plan development costs. The funding
9 provided for engineering and plan development costs may be applied to costs incurred
10 as of January 1, 2013.
- 11 5. Upon execution of a construction contract by the county, the department of
12 transportation shall transfer to the county the funding to be used for approved county
13 and township road bridge rehabilitation and reconstruction projects.
- 14 6. Each recipient county shall report to the department of transportation upon awarding
15 each contract and upon completion of each project in a manner prescribed by the
16 department.
- 17 7. Section 54-44.1-11 does not apply to funding provided in this section. Any funds not
18 spent by June 30, 2015, may be continued into the biennium beginning July 1, 2015,
19 and ending June 30, 2017, and may be expended only for county and township road
20 bridge rehabilitation and reconstruction projects.

21 **SECTION 2. APPROPRIATION - UPPER GREAT PLAINS TRANSPORTATION**

22 **INSTITUTE - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - BUDGET SECTION**

23 **REPORTS.** There is appropriated out of any moneys in the strategic investment and
24 improvements fund in the state treasury, not otherwise appropriated, the sum of \$350,000, or so
25 much of the sum as may be necessary, to the upper great plains transportation institute for the
26 purpose of updating and maintaining reports for transportation infrastructure needs for all
27 county and township roads and bridges in the state, for the biennium beginning July 1, 2013,
28 and ending June 30, 2015. While updating and maintaining the reports, the upper great plains
29 transportation institute shall review options to most efficiently use resources through the
30 integration of road and bridge projects identified in the reports along with other associated
31 infrastructure needs. During the 2013-14 interim, the upper great plains transportation institute

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1 shall report at least annually to the budget section of the legislative management regarding the
2 status of the reports.

3 **SECTION 3. EMERGENCY.** Section 1 of this Act is declared to be an emergency measure.