

Sixty-third
Legislative Assembly
of North Dakota

ENGROSSED 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 \$27,000,000, 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 needed for the safe conveyance of persons and commerce
16 in this state. The director of the department of transportation shall distribute the
17 funding provided under this section based on data available from studies conducted by
18 the upper great plains transportation institute.

19 2. Each county requesting funding under this section for a county or township road
20 bridge project or for multiple projects shall submit the request in accordance with
21 criteria developed by the department of transportation. The department of
22 transportation, in consultation with the county, may approve a project or approve a
23 project with amendments.

- 1 a. Funding must be distributed for projects based on data available from upper
2 great plains transportation institute studies, actual road conditions, and the level
3 of integration with state highway and other county road projects.
- 4 b. Funding may not be distributed for the routine maintenance of bridges.
- 5 3. The funding provided in this section may be used to provide up to ninety percent of the
6 cost of an approved bridge project, including engineering and plan development costs.
- 7 4. Upon approval of a project, the department of transportation shall transfer to the
8 county the approved funding for engineering and plan development costs. The funding
9 provided for engineering and project development costs may be applied to costs
10 incurred 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 the approved
13 bridge project.
- 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 8. For purposes of this section, a "bridge" is a structure that extends over a river, stream,
22 depression, or other obstacle and has an end area of fifty square feet [4.65 square
23 meters] or greater.
- 24 9. To be eligible to receive a grant under this section, the county or township road bridge
25 project must be located within a county that levies a combined total of seven or more
26 mills for county road and bridge, farm-to-market and federal aid road, and county road
27 purposes.

28 **SECTION 2. APPROPRIATION - UPPER GREAT PLAINS TRANSPORTATION**
29 **INSTITUTE - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - BUDGET SECTION**
30 **REPORTS.** There is appropriated out of any moneys in the strategic investment and
31 improvements fund in the state treasury, not otherwise appropriated, the sum of \$350,000, or so

1 much of the sum as may be necessary, to the upper great plains transportation institute for the
2 purpose of updating and maintaining reports for transportation infrastructure needs for all
3 county and township roads and bridges in the state, for the biennium beginning July 1, 2013,
4 and ending June 30, 2015. While updating and maintaining the reports, the upper great plains
5 transportation institute shall review options to most efficiently use resources through the
6 integration of road and bridge projects identified in the reports along with other associated
7 infrastructure needs. During the 2013-14 interim, the upper great plains transportation institute
8 shall report at least annually to the budget section of the legislative management regarding the
9 status of the reports.

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