

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~~\$27,000,000, or so much of the sum as may be
11 necessary, to the department of transportation for a county and township road bridge
12 rehabilitation and reconstruction program, for the period beginning with the effective date of this
13 Act and ending 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".~~ needed for the safe
22 conveyance of persons and commerce in this state. The director of the department of
23 transportation shall distribute the funding provided under this section based on data
24 available from studies conducted by the upper great plains transportation institute.

- 1 2. Each county requesting funding under this section for a county or township road
2 bridge project or for multiple projects shall submit the request in accordance with
3 criteria developed by the department of transportation. ~~The request must include a~~
4 ~~proposed plan for funding projects that rehabilitate or reconstruct county and township~~
5 ~~road bridges in the county.~~ The department of transportation, in consultation with the
6 county, may approve ~~the plana project~~ or approve ~~the plana project~~ with amendments.
- 7 a. Funding must be distributed for projects based on data available from upper
8 great plains transportation institute studies, actual road conditions, and the level
9 of integration with state highway and other county road projects.
- 10 b. Funding may not be distributed for the routine maintenance of bridges.
- 11 3. The funding provided in this section may be used to provide up to ninety percent of the
12 cost of ~~thean~~ approved bridge ~~projectsproject~~, including engineering and plan
13 development costs, ~~not to exceed the funding available for that county.~~
- 14 4. Upon approval of a ~~planproject~~, the department of transportation shall transfer to the
15 county the approved funding for engineering and plan development costs. The funding
16 provided for engineering and ~~planproject~~ development costs may be applied to costs
17 incurred as of January 1, 2013.
- 18 5. Upon execution of a construction contract by the county, the department of
19 transportation shall transfer to the county the funding to be used for ~~the~~ approved
20 ~~county and township road bridge rehabilitation and reconstruction projects~~bridge
21 project.
- 22 6. Each recipient county shall report to the department of transportation upon awarding
23 each contract and upon completion of each project in a manner prescribed by the
24 department.
- 25 7. Section 54-44.1-11 does not apply to funding provided in this section. Any funds not
26 spent by June 30, 2015, may be continued into the biennium beginning July 1, 2015,
27 and ending June 30, 2017, and may be expended only for county and township road
28 bridge rehabilitation and reconstruction projects.
- 29 8. For purposes of this section, a "bridge" is a structure that extends over a river, stream,
30 depression, or other obstacle and has an end area of fifty square feet [4.65 square
31 meters] or greater.

1 9. To be eligible to receive a grant under this section, the county or township road bridge
2 project must be located within a county that levies a combined total of seven or more
3 mills for county road and bridge, farm-to-market and federal aid road, and county road
4 purposes.

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

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

7 **REPORTS.** There is appropriated out of any moneys in the strategic investment and
8 improvements fund in the state treasury, not otherwise appropriated, the sum of \$350,000, or so
9 much of the sum as may be necessary, to the upper great plains transportation institute for the
10 purpose of updating and maintaining reports for transportation infrastructure needs for all
11 county and township roads and bridges in the state, for the biennium beginning July 1, 2013,
12 and ending June 30, 2015. While updating and maintaining the reports, the upper great plains
13 transportation institute shall review options to most efficiently use resources through the
14 integration of road and bridge projects identified in the reports along with other associated
15 infrastructure needs. During the 2013-14 interim, the upper great plains transportation institute
16 shall report at least annually to the budget section of the legislative management regarding the
17 status of the reports.

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