

Sixty-fourth  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1426**

Introduced by

Representatives Steiner, Rick C. Becker, Devlin, Trottier

1 A BILL for an Act to amend and reenact subsection 1 of section 15.1-36-01 and sections  
2 43-19.1-28 and 48-01.2-02.1 of the North Dakota Century Code, relating to approval of school  
3 construction projects by the superintendent of public instruction and bids and plans and  
4 specifications for public improvements; and to provide for application.

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

6 **SECTION 1. AMENDMENT.** Subsection 1 of section 15.1-36-01 of the North Dakota  
7 Century Code is amended and reenacted as follows:

8 1. Notwithstanding the powers and duties of school boards provided by law, the  
9 superintendent of public instruction shall approve the construction, purchase, repair,  
10 improvement, modernization, or renovation of any public school building or facility  
11 before commencement of the project if the cost of the project, as estimated by the  
12 school board, is in excess of ~~one~~five hundred ~~fifty~~ thousand dollars.

13 **SECTION 2. AMENDMENT.** Section 43-19.1-28 of the North Dakota Century Code is  
14 amended and reenacted as follows:

15 **43-19.1-28. Public works.**

16 Except as otherwise provided by law, the state and its political subdivisions may not engage  
17 in the construction of public works involving the practice of professional engineering when the  
18 contemplated expenditure for the project exceeds the sum of ~~one~~five hundred ~~fifty~~ thousand  
19 dollars, unless the engineering drawings and specifications and estimates have been prepared  
20 by, and the construction administration and construction observation services are executed  
21 under the supervision of, a registered professional engineer. Any engineering contract executed  
22 in violation of this section is void.

23 **SECTION 3. AMENDMENT.** Section 48-01.2-02.1 of the North Dakota Century Code is  
24 amended and reenacted as follows:

1        **48-01.2-02.1. Public improvement construction threshold.**

2        The threshold for bidding construction of a public improvement is one hundred thousand  
3 dollars. The threshold for procuring plans, drawings, and specifications from an architect or  
4 engineer for construction of a public improvement is ~~one~~~~five~~ hundred ~~fifty~~ thousand dollars.

5        **SECTION 4. APPLICATION.** Sections 2 and 3 of this Act apply to any public improvement  
6 project for which a contract or agreement for plans, drawings, or specifications is executed after  
7 the effective date of this Act.