

HOUSE BILL NO. 1077

Introduced by

Representatives Trottier, Devlin, Rick C. Becker, Hatlestad, Sukut, Paur

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

6 **SECTION 4. APPLICATION.** Sections ~~1~~ 2 and ~~2~~ 3 of this Act apply to any public
7 improvement project for which a contract or agreement for plans, drawings, or specifications is
8 executed after the effective date of this Act.