

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1335

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Dennis Hall
Operator's Signature

10/3/03
Date

2003 HOUSE TRANSPORTATION

HB 1335

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna Halliwell
Operator's Signature

10/3/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1335

House Transportation Committee

☐ Conference Committee

Hearing Date January 30, 2003

Tape Number	Side A	Side B	Meter #
2		x	22.9 to 34.1
3	x		26.8 to 39.1
Committee Clerk Signature <i>Louise L. Fink</i>			

Minutes:

Rep. Weisz, Chairman opened the hearing on HB 1335, a bill for an Act to amend and reenact section 24-01-01.2 of the North Dakota Century Code, relating to the state highway system.

Rep. Kretschmar representing District 28. I put this bill because I think it is time to authorize the addition of certain sections onto the state system. I do not propose any additions at this time. I would be the last one to ask the DOT to take on any more miles without the funding and resources for them to adequately build and maintain those added miles. I understand the DOT is now bumping up against the 7700 mile limit at the present time --- this would allow them to take on some additional miles. I am not suggesting any additions at this time and do not think we should until we provide funding some time in the future.

Rep. Bernstein: (26.2) How are your roads today?

Rep. Kretschmar: Our roads are in good shape and I commend the DOT for that.

No other one appeared in support.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna Hallworth
Operator's Signature

10/3/03
Date

Page 2
House Transportation Committee
Bill/Resolution Number HB 1335
Hearing Date January 30, 2003

Opposition:

Tim Horner: Director of Transportation Programs, North Dakota DOT appeared in opposition to HB 1335. a copy of his written testimony is attached.

Rep. Weisz, Chairman: (30.7) Evidently we have 322 miles left that could be added under the current statute.

Tim Horner: That's right.

Rep. Schmidt : This summer Highway 2 from Rugby to Leeds, is that all state funds or is that federal funds?

Tim Horner: That is funded 80% federal -- 20 % state funds. That is already bid

Rep. Schmidt: The people of my district are becoming unglued because year after year we can not get nine miles add on to Highway 30. What do we have to do to get that added to the State Highway system?

Rep. Weisz, Chairman: Mr. Horner would advise us what the criteria would be to qualify this on the state system and federal funds?

Tim Horner: First of all it must be classified as an arterial, collector or qualify based on traffic. That section of road like many county roads does qualify for federal funds and we do give the county federal funds to spend on that road.

There being no one to testify further on HB 1335 either for or against, the chairman closed the hearing. (34.1)

Tape 3 side A January 30, 2003

Rep. Weisz, Chairman: (26.8) opened the discussions for action on HB 1335. Following discussion of the fact that the bill doesn't hurt anything, it doesn't cost the state anything at this

Page 3
House Transportation Committee
Bill/Resolution Number HB 1335
Hearing Date January 30, 2003

time, there currently 322 miles 'left in the bank', the bill would bring the total allowed up to over 9,000, and the bill doesn't really do anything and the difficulty of voting against the bill if there really are some roads which maybe needed to be added.

Rep. Hawken, Vice Chairman: Moved a 'Do Pass' for HB 1335.

Rep. Delmore: Seconded the motion.

On a roll call vote, the motion failed with a vote of 6 ayes 6 Nays and 1 Absent and not voting.

Discussion asked why pass the bill as it was only symbolic that the committee was doing something. If they wanted to do a lot increase the mileage 20 %, the priorities for construction were not going to change, etc

Rep. Ruby moved "Do Not Pass" motion for HB1335.

Rep. Headland: Seconded the motion.

On a roll call vote the motion failed with a vote of 5 Ayes 7 Nays 1 Absent and not voting.

Rep. Price : Moved a 'Do Pass' motion.

Rep. Hawken, Vice Chairman: Seconded the motion.

On a roll call vote the motion carried 7 ayes 5 Nays 1 Absent and not voting.

Rep. Schmidt was designated to carry HB 1335 on the floor.

End (39.1)

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna Hall
Operator's Signature

10/3/03
Date

FISCAL NOTE
Requested by Legislative Council
01/14/2003

Bill/Resolution No.: HB 1335

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

It is not possible to accurately determine the fiscal impact of HB 1335 because we do not know how many miles would be added to the state system in any biennium. We can provide a basic estimate of the range of costs based on minimum (zero) and maximum (fifty) mileage additions per year to the state system.

If no additional miles are added to the system, there would be no additional fiscal impact.

If we assume the maximum of 50 miles per year are added there would be several issues to consider, including the current condition of the roadways added to the system; the additional staffing and equipment costs required to maintain the added mileage; and, assuming the use of federal highway funds on the additional mileage, the costs to bring roadways up to federal standards. The following assumptions can be used to estimate the biennial cost of adding the maximum allowable mileage to the system:

- Roads added to the system would be low-volume routes.
- The current right-of-way is 33 feet on each side of the section line. Where grading is required, an additional 67 feet would be needed on each side of the section line.
- Half of the additional mileage would need to be graded and resurfaced, at an estimated cost of \$300,000 per mile ($\$300,000 \times 50 \text{ miles} = \$15,000,000$).
- One-fourth of the additional mileage would need only to be resurfaced, at an estimated cost of \$150,000 per mile ($\$150,000 \times 25 \text{ miles} = \$3,750,000$).
- One-fourth of the additional mileage would need no work.
- Maintenance costs include \$2,350 annually per mile for routine maintenance activities such as crack sealing, patching, snow removal, signing, mowing, and chip seals ($\$2,350 \times (50 \text{ 1st year miles} + 100 \text{ miles 2nd year miles}) = \$352,500$.)

Based on these assumptions, the additional costs for adding the maximum allowable mileage to the system would be \$19,102,500.

Thus, the minimum first biennium costs would range between \$0 and \$19,102,500, dependent upon the amount of mileage (0-100 miles) added to the state system.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature

Date

3. **State fiscal effect detail:** For information shown under state fiscal effect in 1A, please:

A. **Revenues:** Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

B. **Expenditures:** Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

As detailed in the narrative section, the expenditures would vary, depending on the mileage added to the system.

C. **Appropriations:** Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

The DOT would require additional appropriations equal to the level of expenditures needed to support the additional mileage.

Name:	Tim Horner	Agency:	NDDOT
Phone Number:	328-4406	Date Prepared:	01/29/2003

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Donna Hall
Operator's Signature

10/3/03
Date

Date: _____
Roll Call Vote #: _____

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1335

House TRANSPORTATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 30467.0100

Action Taken Do Pass

Motion Made By Rep. Hawken Seconded By Rep. Delmore

Representatives	Yes	No	Representatives	Yes	No
Robin Weisz - Chairman		✓	Lois Delmore	✓	
Kathy Hawken - Vice Chairman	✓		Arlo E. Schmidt	✓	
LeRoy G. Bernstein	✓		Elwood Thorpe		✓
Mark A. Dosch		✓	Steven L. Zaiser		✓
Pat Galvin	✓				
Craig Headland		✓			
Clara Sue Price	✓				
Dan J. Ruby		✓			
Dave Weiler	A				

Total Yes 6 No 6

Absent 1

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna Hallmark
Operator's signature

10/3/03
Date

Date: 11/30/03
Roll Call Vote #: _____

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. _____

House TRANSPORTATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 30467. 0100

Action Taken Do Not Pass

Motion Made By Rep. Ruby Seconded By Rep. Headland

Representatives	Yes	No	Representatives	Yes	No
Robin Weisz - Chairman		✓	Lois Delmore		✓
Kathy Hawken - Vice Chairman		✓	Arlo E. Schmidt		✓
LeRoy G. Bernstein		✓	Elwood Thorpe	✓	
Mark A. Dosch	✓		Steven L. Zaiser	✓	
Pat Galvin		✓			
Craig Headland	✓				
Clara Sue Price		✓			
Dan J. Ruby	✓				
Dave Weiler	A				

Total Yes 5 No 7

Absent 1

Floor Assignment Rep. failed

If the vote is on an amendment, briefly indicate intent:

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature

Date

Date: 1/30/03Roll Call Vote #: 32003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1335House TRANSPORTATION

Committee

☐ Check here for Conference CommitteeLegislative Council Amendment Number 30467.0100Action Taken Do PassMotion Made By Rep. PriceSeconded By Rep. Hawken

Representatives	Yes	No	Representatives	Yes	No
Robin Weisz - Chairman	✓		Lois Delmore	✓	
Kathy Hawken - Vice Chairman	✓		Arlo E. Schmidt	✓	
LeRoy G. Bernstein	✓		Elwood Thorpe		✓
Mark A. Dosch		✓	Steven L. Zaiser		✓
Pat Galvin	✓				
Craig Headland		✓			
Clara Sue Price	✓				
Dan J. Ruby		✓			
Dave Weiler	A				

Total Yes 7No 5Absent 1Floor Assignment Rep. Schmidt

If the vote is on an amendment, briefly indicate intent:

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature Donna HallDate 10/3/03

REPORT OF STANDING COMMITTEE (410)
January 31, 2003 12:40 p.m.

Module No: HR-19-1440
Carrier: Schmidt
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HB 1335: Transportation Committee (Rep. Welsz, Chairman) recommends **DO PASS**
(7 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). HB 1335 was placed on the
Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-19-1440

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna Halliwell
Operator's Signature

10/3/03
Date

2003 TESTIMONY

HB 1335

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna Halliwell
Operator's Signature

10/3/03
Date

HOUSE TRANSPORTATION COMMITTEE

January 30, 2003

**North Dakota Department of Transportation
Tim Horner, Director of Transportation Programs**

HB 1335

Good afternoon, Mr. Chairman and members of the committee. I'm Tim Horner, Director of Transportation Programs for the North Dakota Department of Transportation. I'm testifying on behalf of the department regarding HB 1335. This bill would allow the state highway system to increase in size from its current limit of 7,700 miles to 9,000 miles.

We can see merit in giving the NDDOT director more authority to add mileage to the state system if he believes it's in the best interest of the state. We also understand that increasing the maximum number of miles does not necessarily mean the size of the system will increase. If miles are requested to be added, the NDDOT director would consider many factors.

We are concerned, however, with the possible fiscal impact this bill would have on the department and its ability to effectively manage the state transportation system.

It is difficult to accurately determine the fiscal impact of this bill. The fiscal note shows that there would be no cost because we are unable to determine how many miles would be added to the system each year or what types of improvements would be needed to bring these roadways up to federal-aid standards. However, assuming that the maximum of fifty miles per year allowed in NDCC Section 24-01-02 were added, we estimate that the fiscal impact could approach \$19 million per biennium. (See attachment) For each mile of roadway added to the state highway system that did not meet federal standards, the estimated cost would be \$150,000 to regrade and \$150,000 to surface, or up to \$300,000 per mile in up-front costs. We also estimate that it would cost about \$2,350 annually to maintain each mile of roadway added to the state system.

We oppose HB 1335 because of the unknown factors. If the Legislature passes HB 1335, we are concerned that other jurisdictions will interpret that action as a sign that the Legislature feels NDDOT has more than enough resources to add miles to the system. On the contrary, our current resources make it difficult to maintain, preserve, and enhance services on 7,378 miles of the state highway system. It would not make sense to increase the size of the state highway network unless resources were similarly increased.

We also feel that the size of the current state highway system is adequate to serve the traveling public.

Mr. Chairman, that concludes my testimony. I would be happy to answer any questions the committee may have.

Page 1 of 2

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Deanna Hall
Operator's Signature

10/3/03
Date

ATTACHMENT A

To determine the fiscal impact of this bill, the department made a number of assumptions, including:

- Roads added to the system would be low-volume routes.
- 50 miles per year would be added to the state system (NDCC 24-01-02).
- The current right-of-way is 33 feet on each side of the center line. Where grading is required, an additional 67 feet would be needed on each side of the center line.
- Half of the additional mileage would need to be graded and resurfaced, at an estimated cost of \$300,000 per mile.
- One-fourth of the additional mileage would need only to be resurfaced, at an estimated cost of \$150,000 per mile.
- One-fourth of the additional mileage would need no work.
- Maintenance costs include \$2,350 annually per mile for routine maintenance activities such as crack sealing, patching, snow removal, signing, mowing, and chip seals.

Table 1 shows the estimated costs of adding 100 miles to the state system during the next two years.

TABLE 1

ESTIMATED FISCAL IMPACT OF ADDING 100 MILES TO THE STATE HIGHWAY SYSTEM DURING THE 2003-2005 BIENNIUM		
Type of Improvement	Cost/Mile	Total Cost
Grading 50 miles	\$150,000	\$7,500,000
Surfacing (paving) 75 miles	\$150,000	\$11,250,000
Year 1 maintenance costs on 50 miles*	\$2,350	\$117,500
Year 2 maintenance costs on 100 miles*	\$2,350	\$235,000
TOTAL COST PER BIENNIUM		\$19,102,500

*Maintenance costs include snow removal, mowing, crack sealing, patching, striping, etc. and a seal coat every 10 years at an annual cost of \$1,000. Based on 10-year average.

The department would also program an asphalt overlay on these roadways approximately every 25 years. The current cost of an overlay is about \$150,000 per mile, which equals about \$6,000 per mile per year. These costs are not included in the table above.

If fewer than 50 miles were added to the state system each year, the costs to improve and maintain the roadways would proportionally be reduced.

As miles are added to the state system, additional personnel and equipment would be needed to maintain these roadways. We have not determined these costs.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Operator's Signature

Date

10/3/03