

Introduced by

Senators Wanzek, Erbele, G. Lee, Nodland

Representatives Headland, Weisz

1 A BILL for an Act to provide an appropriation to the department of transportation for a county
2 and township road reconstruction program; to provide an exemption; and to declare an
3 emergency.

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

5 **SECTION 1. APPROPRIATION - EXEMPTION.** There is appropriated out of any moneys in
6 the permanent oil tax trust fund in the state treasury, not otherwise appropriated, the sum of
7 \$73,600,000, or so much of the sum as may be necessary, to the department of transportation
8 for a county and township road reconstruction program, for the period beginning with the
9 effective date of this Act and ending June 30, 2013.

- 10 1. The funding provided in this section must be used to rehabilitate or reconstruct county
11 and township paved and unpaved roads.
- 12 a. Funding allocations to counties are to be made by the department of
13 transportation based on the needs assessment study conducted by the upper
14 great plains transportation institute entitled "road investment needs to support
15 agricultural logistics and economic development in North Dakota", dated
16 January 10, 2011.
- 17 b. Counties identified in the study are eligible for funding.
- 18 2. Each county requesting funding under this section for county or township roads shall
19 submit the request in accordance with criteria developed by the department of
20 transportation.
- 21 a. The request must include a proposed plan for funding projects that rehabilitate or
22 reconstruct paved and unpaved roads within the county.

- 1 b. The plan must be based on the upper great plains transportation institute study,
2 actual road conditions, and integration with state highway and other county road
3 projects.
- 4 c. Funds may not be used for routine maintenance.
- 5 3. The department of transportation, in consultation with the county, may approve the
6 plan or approve the plan with amendments.
- 7 4. The funding provided in this section may be used for:
8 a. Fifty percent of the cost of the approved paved roadway projects not to exceed
9 the funding available for that county.
10 b. One hundred percent of the cost of the approved unpaved roadway projects not
11 to exceed the funding available for that county.
12 c. Construction, engineering, and plan development costs.
- 13 5. Upon approval of the plan, the department of transportation shall transfer to the county
14 the approved funding for engineering and plan development costs.
- 15 6. Upon execution of a construction contract by the county, the department of
16 transportation shall transfer to the county the approved funding to be distributed for
17 county and township road rehabilitation and reconstruction projects.
- 18 7. The recipient counties shall report to the department of transportation upon awarding
19 each contract and upon completion of each project in a manner prescribed by the
20 department.
- 21 8. Section 54-44.1-11 does not apply to funding provided in this section. Any funds not
22 spent by June 30, 2013, may be continued into the biennium beginning July 1, 2013,
23 and ending June 30, 2015, and may be expended only for county and township paved
24 and unpaved road rehabilitation and reconstruction projects.

25 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.