

January 22, 2021

PROPOSED AMENDMENTS TO SENATE BILL NO. 2040

Page 1, line 5, remove "and"

Page 1, line 6, after "limit" insert "; to provide an exemption; and to declare an emergency"

Page 2, line 16, remove "treasurer"

Page 2, line 17, replace "for road and bridge infrastructure project grants" with "highway fund under section 24-02-37"

Page 5, line 29, replace "**Road and bridge infrastructure project grants**" with "**State highway fund**"

Page 6, line 5, remove "road and bridge infrastructure project grants distributed by the state"

Page 6, line 6, replace "treasurer" with "the state highway fund under section 24-02-37"

Page 9, line 6, remove "road and bridge infrastructure project grants distributed"

Page 9, line 7, replace "by the state treasurer" with "the state highway fund under section 24-02-37"

Page 9, line 7, replace "biennium beginning July 1, 2021," with "period beginning with the effective date of this Act"

Page 9, line 10, after "authority" insert "are appropriated to the state treasurer and"

Page 9, line 21, remove "treasurer for road and bridge infrastructure"

Page 9, remove lines 22 through 31

Page 10, remove lines 1 through 15

Page 10, line 16, replace "bridge infrastructure" with "highway fund under section 24-02-37"

Page 10, after line 23, insert:

"SECTION 6. APPROPRIATION - STATE HIGHWAY FUND - ONE-TIME FUNDING - EXEMPTION.

1. There is appropriated out of any moneys in the state highway fund in the state treasury, not otherwise appropriated, the sum of \$770,000,000, or so much of the sum as may be necessary, derived from bond proceeds to the department of transportation for the purpose of county and township road and bridge project grants, for the period beginning with the effective date of this Act and ending June 30, 2023. The funding provided in this section is considered a one-time funding item.
2. Each county or township requesting funding under this section for county road and bridge projects shall submit the request in accordance with criteria developed by the department of transportation. The request must include a proposed plan for funding projects that rehabilitate or reconstruct paved and unpaved roads and bridges within the county or township which

are needed to support economic activity in the state. The plan must meet the following criteria:

- a. Roadways and bridges must provide continuity and connectivity to efficiently integrate and improve major paved and unpaved corridors within the county or township and across county or township borders.
 - b. Projects must be consistent with the upper great plains transportation institute's estimated road and bridge investment needs for the years 2021 to 2040 and with other planning studies.
 - c. Upon completion of a major roadway construction or reconstruction project, the roadway segment must be posted at a legal load limit of 105,500 pounds [47853.995 kilograms].
 - d. Design speed on the roadway must be at least 55 miles per hour [88.51 kilometers per hour], unless the department of transportation provides an exemption.
 - e. Projects must comply with the American association of state highway transportation officials pavement design procedures and standards developed by the department of transportation in conjunction with the local jurisdiction.
 - f. Bridges must be designed to meet an HL 93 loading.
3. The department of transportation, in consultation with the county or township, may approve the plan or approve the plan with amendments. Upon approval of the plan, the department of transportation shall transfer to the county or township the approved funding for engineering and plan development costs. Upon execution of a construction contract by the county or township, the department of transportation shall transfer to the county or township the approved funding for county and township rehabilitation and reconstruction projects. Counties and townships shall report to the department of transportation upon awarding of each contract and upon completion of each project in a manner prescribed by the department.
 4. Funding provided under this section may be used for construction, engineering, and plan development costs, but may not be used for routine maintenance. Funding provided under this section may be applied to engineering, design, and construction costs incurred on related projects as of January 1, 2021.
 5. Section 54-44.1-11 does not apply to funding under this section. Any funds not spent by June 30, 2023, must be continued into the biennium beginning July 1, 2023, and ending June 30, 2025, and may be expended only for the purposes authorized by this section. The department of transportation shall report to the budget section and to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding, including the amounts distributed to each county and township, the amounts spent to date, and the amounts anticipated to be continued into the 2023-25 biennium.

SECTION 7. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly