

2025 SENATE TRANSPORTATION

SB 2062

2025 SENATE STANDING COMMITTEE MINUTES

Transportation Committee Fort Totten Room, State Capitol

SB 2062
1/9/2025

Relating to bidding requirements for construction contracts.
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1:30 p.m. Chairman Clemens called the meeting to order.

Members present: Chairman Clemens, Vice Chairwoman Cory, Senator Hogan, Senator Klein, Senator Paulson, Senator Rummel

Discussion Topics:

- Existing connection methods of DOT
- DOT budget for advertising projects
- Effectiveness and reach of DOT newspaper advertising

1:31 p.m. Matt Linneman, Deputy Director for Engineering, DOT, introduced SB 2062, testified in favor and submitted testimony #28115.

1:46 p.m. Cecile Wehrman, ND Newspaper Association, testified in opposition and submitted testimony #28238.

2:07 p.m. Russ Hanson, ND Contractor's Association, testified neutral.

2:15 p.m. Matt Linneman, Deputy Director for Engineering, DOT, provided additional testimony in favor.

2:17 p.m. Chairman Clemens closed the hearing.

Chance Anderson, Committee Clerk



Transportation

Senate Bill No. 2062**Senate Transportation Committee**

Fort Totten Room | Jan. 9, 2025, 1:30 p.m.

Matt Linneman, Deputy Director for Engineering

Greetings, Chair and members of the Committee. I'm Matt Linneman, Deputy Director for Engineering for the North Dakota Department of Transportation (NDDOT). I'm here to introduce and provide supportive testimony regarding SB 2062.

SB 2062 seeks to amend section 24-02-19 of the North Dakota Century Code to enhance efficiency and reduce costs in the NDDOT's construction project bid advertisement process. Currently, the Century Code requires that any request for bids on construction work, state highway improvements, or structures exceeding the amount specified in section 24-02-17 must be published in the official newspaper of the county where the project is located.

While this approach has served its purpose in the past, it has become increasingly time-consuming, expensive and less effective in reaching stakeholders. Legal advertisements printed in local newspapers are no longer the most effective method to advertise large highway infrastructure projects, nor are they the best way to reach a statewide audience of contractors and stakeholders interested in bidding on the projects.

Instead, the NDDOT proposes a shift to more modern and impactful communications methods. By utilizing the NDDOT website, targeted email lists, subscription services, and other electronic platforms, the department can ensure timely and broader dissemination of bid opportunities. These tools enable direct engagement with contractors, industry stakeholders, and interested parties, increasing visibility while reducing costs and administrative burdens.

The NDDOT recommends a "do pass" on SB 2062. This concludes my testimony. Thank you.

January 9, 2025

Senate Transportation
SB 2062

CHAIRMAN CLEMENS AND COMMITTEE MEMBERS:

My name is Cecile Wehrman. I represent the North Dakota Newspaper Association and the state's 73 member newspapers.

We oppose adoption of Senate Bill 2062.

The Department of Transportation seeks to cut official county newspapers from the requirement to publish requests for bids for construction work on the grounds there are cheaper and better ways to reach contractors, industry stakeholders and other interested parties.

There's only one problem – cutting newspapers cuts the general public out of the equation by removing the geographic connection between a major construction project and the people who ultimately pay for it. The average citizen may not even know a project is in the works in their vicinity until a bid notice appears in their local newspaper. One of the beauties of public notice is the serendipitous discovery of information the reader does not know they care about until they see it published locally.

By removing notice to the general public – even though they have no intention of bidding on such a project -- you remove the public's knowledge about how government dollars are potentially being spent and the scope of a project that may have future impacts on their local government, commerce or travel. Practically speaking, local people cannot monitor state websites on a continual basis in search of information that may impact them locally. That's why they rely on newspapers. The notion there is no cost associated with alternate dissemination methods is false. Labor in updating information, maintaining electronic infrastructure such as websites, and subscriptions to other platforms also costs money. The state should certainly avail themselves of these new modes of notification, but when newspapers are cut from the equation you are cutting taxpayers from receiving information they have a right and interest to know about.

Newspapers also play a critical role, not only in archiving public notice, but by creating a printed record that cannot be altered, lost or changed electronically.

In a recent survey, 8 out of 10 North Dakotans named newspapers as the preferred method for receiving public notice, over government websites.

On behalf of North Dakota's newspapers and their 300,000 readers, I urge a DO NOT PASS on SB 2062.

Thank you for your consideration and I would be happy to answer questions.

Government Websites vs. Newspapers

Eight out of 10 North Dakota adults (82%) believe that an independent third-party should deliver public notices versus having them only available on government websites

	North Dakota Adults
I think newspapers as an independent third-party source should deliver this important information to the public	82%
I think government can be trusted to be the only source of public notices	18%

Do you think state or local governments should stop publishing public notices in local newspapers/newspaper websites and only publish them on their websites?

2025 SENATE STANDING COMMITTEE MINUTES

Transportation Committee Fort Totten Room, State Capitol

SB 2062
1/16/2025

Relating to bidding requirements for construction contracts.
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10:15 a.m. Chairman Clemens opened the hearing.

Members present: Chairman Clemens, Vice Chairwoman Cory, Senator Hogan, Senator Klein, Senator Paulson, Senator Rummel

Discussion Topics:

- Viability of newspaper advertising for DOT projects

10:26 a.m. Senator Rummel moved a Do Pass.

10:27 a.m. Vice Chairwoman Cory seconded the motion.

Senators	Vote
Senator David A. Clemens	Y
Senator Claire Cory	Y
Senator Kathy Hogan	N
Senator Jerry Klein	N
Senator Bob Paulson	Y
Senator Dean Rummel	Y

Motion passed 4-2-0.

Vice Chairwoman Cory will carry the bill.

10:27 a.m. Chairman Clemens closed the hearing.

Chance Anderson, Committee Clerk

REPORT OF STANDING COMMITTEE
SB 2062 ([25.8046.01000](#))

Transportation Committee (Sen. Clemens, Chairman) recommends **DO PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2062 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

2025 HOUSE TRANSPORTATION

SB 2062

2025 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee Room JW327E, State Capitol

SB 2062
3/6/2025

Relating to bidding requirements for construction contracts.
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9:14 a.m. Chairman D. Ruby opened the hearing.

Members Present: Chairman D. Ruby, Vice Chairman Grueneich, Representatives Christianson, Dressler, Frelich, Johnston, Hendrix, Kasper, Koppelman, Maki, Morton, Osowski, Schatz
Members Absent: Representative Finley-DeVille

Discussion Topics:

- Bidding opportunities
- Local communities

9:15 a.m. Matt Linneman, NDDOT, testified in favor and submitted testimony #38854.

9:33 a.m. Russ Hanson, Associated General Contractors of ND, testified in favor.

9:37 a.m. Jack MacDonald, Lobbyist, ND Newspaper Association, testified in opposition #39187.

9:41 a.m. Chairman D. Ruby closed the hearing.

9:45 a.m. Representative Schatz moved a Do Not Pass.

9:45 a.m. Representative Kasper seconded the motion.

Representatives	Vote
Representative Dan Ruby	Y
Representative Jim Grueneich	Y
Representative Nels Christianson	Y
Representative Ty Dressler	Y
Representative Lisa Finley-DeVille	AB
Representative Kathy Frelich	Y
Representative Jared Hendrix	Y
Representative Daniel Johnston	Y
Representative Jim Kasper	Y
Representative Ben Koppelman	AB
Representative Roger A. Maki	Y
Representative Desiree Morton	Y
Representative Doug Osowski	Y
Representative Mike Schatz	Y

9:47 a.m. Motion passed 12-0-2.

9:47 a.m. Representative Maki will carry the bill.

Additional Written Testimony:

Cecile Wehrman, Executive Director, ND Newspaper Association, submitted testimony in opposition #38675.

9:48 a.m. Chairman D. Ruby closed the meeting.

Janae Pinks, Committee Clerk

REPORT OF STANDING COMMITTEE
SB 2062 ([25.8046.01000](#))

Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 2 ABSENT OR EXCUSED AND NOT VOTING). SB 2062 was placed on the Fourteenth order on the calendar.



Cecile Wehrman, director@ndna.com 701-648-8697

HOUSE Transportation
Rep. Dan Ruby, Chairman
SB 2062 -- OPPOSED

CHAIRMAN RUBY AND COMMITTEE MEMBERS:

My name is Cecile Wehrman. I represent the North Dakota Newspaper association and the state's 73 newspapers. We oppose adoption of Senate Bill 2062.

This bill has been proposed primarily on the basis of other bidding platforms being available vs. the cost of publication in newspapers. That leaves out what we believe is the most important reason for these publications: The public's right to know.

The Department of Transportation seeks to cut official county newspapers from the requirement to publish requests for bids for construction but that also cuts the knowledge the general public has about projects coming to their local area, not to mention, how their taxpayer dollars may soon be spent.

One of the beauties of public notice is how many times a reader finds something they never knew they were interested in until a notice appears in their hometown paper. Even though the average citizen may have no intention of bidding, they have a right to know that bids are being sought, the scope of work to be covered, as well as the heads up that travel or commerce may be impacted by an upcoming project.

Furthermore, we know people cannot monitor state websites on a continual basis in search of information that may impact them locally. That's why they rely on newspapers.

The notion there is no cost associated with alternate dissemination methods is false. Labor in updating information, maintaining electronic infrastructure such as websites, and subscriptions to other platforms also costs money. However, newspapers already provide a FREE place where people can search by city or county for all public notices and we are required by law to post them there. Do a Google search for North Dakota Public Notices and you'll find we're the top result. The website is called ndpublicnotices.com.

The cost of publication of these projects in newspapers amounts to a minute fraction of total project cost compared to the millions spent on even the most basic highway construction. It's a very small price to pay for notice to the people ultimately footing the bill -- the tax payer.

In a recent survey, 8 out of 10 North Dakotans named newspapers as the preferred method for receiving public notice, over government websites. On behalf of North Dakota's newspapers and their 300,000 readers, we urge a DO NOT PASS on SB 2062.

Thank you for your consideration.

**Senate Bill No. 2062****House Transportation Committee**

Room 327E | Mar 6, 2025, 9:15am

Matt Linneman, Deputy Director for Engineering

Greetings, Chair and members of the Committee. I'm Matt Linneman, Deputy Director for Engineering for the North Dakota Department of Transportation (NDDOT). I'm here to introduce and provide supportive testimony regarding SB 2062.

SB 2062 seeks to amend section 24-02-19 of the North Dakota Century Code to enhance efficiency and reduce costs in the NDDOT's construction project bid advertisement process. Currently, the Century Code requires that any request for bids on construction work, state highway improvements, or structures exceeding the amount specified in section 24-02-17 must be published in the official newspaper of the county where the project is located.

While this approach has served its purpose in the past, it has become increasingly time-consuming, expensive and less effective in reaching stakeholders. Legal advertisements printed in local newspapers are no longer the most effective method to advertise large highway infrastructure projects, nor are they the best way to reach a statewide audience of contractors and stakeholders interested in bidding on the projects.

Instead, the NDDOT proposes a shift to more modern and impactful communications methods. By utilizing the NDDOT website, targeted email lists, subscription services, and other electronic platforms, the department can ensure timely and broader dissemination of bid opportunities. These tools enable direct engagement with contractors, industry stakeholders, and interested parties, increasing visibility while reducing costs and administrative burdens.

The NDDOT recommends a "do pass" on SB 2062. This concludes my testimony. Thank you.

March 6, 2025

House Transportation Committee SB 2062

CHAIRMAN RUBY AND COMMITTEE MEMBERS:

My name is Jack McDonald. I'm a Bismarck attorney and lobbyist here today representing the North Dakota Newspaper Association and the state's 73 member newspapers.

We oppose Senate Bill 2062 and ask that you give it a DO NOT PASS.

The Department of Transportation wants to drop official county newspapers - and their readers - from the requirement to publish requests for bids for construction work going through those counties because - it says - there are cheaper and better ways to reach industry stakeholders and other interested parties.

There's only one problem - cutting newspapers cuts the general public out of the equation by removing the greatest source North Dakotans living in those counties of knowing that a major highway project will be going through where they live. It wants to cut the major connection between a highway construction project and the people who ultimately pay for it.

The average citizen would not be aware of these construction plans until they see this bid notice in their local papers. One of the beauties of public notice is the serendipitous discovery of information the reader does not know they care about until they see it in their local newspaper.

County residents are not sitting down with their morning coffee and reading the Department of Transportation's web page. But they are reading their local papers. By dropping this notice the department is removing the public's knowledge about how their government dollars are being spent and the scope of a project that will have future impacts on their local government, commerce or travel.

The cost of these notices, as you heard from the department, is negligible in comparison to the cost of the projects.

And, what they didn't mention is that there are also costs associated with alternate dissemination methods such as labor in updating information, maintaining electronic infrastructure such as websites, and subscriptions to other platforms. The state should certainly use these new modes of notification, but when newspapers are cut out you are cutting out the taxpayers who have a right to know about this.

Newspapers also play a critical role, not only in archiving public notice, but by creating a printed record that cannot be altered, lost or changed electronically.

In a recent survey, 8 out of 10 North Dakotans named newspapers as the preferred method for receiving public notice, over government websites.

On behalf of North Dakota's newspapers and their 300,000 readers, I urge a DO NOT PASS on SB 2062.

Thank you for your time and consideration. I would be happy to answer any questions.