

2025 SENATE APPROPRIATIONS

SB 2151

2025 SENATE STANDING COMMITTEE MINUTES

Appropriations - Government Operations Division Red River Room, State Capitol

SB 2151
1/21/2025

A BILL for an Act to create and enact two new sections to chapter 54-27 of the North Dakota Century Code, relating to a county and township bridge fund and a legacy earnings tax relief fund; to amend and reenact section 21-10-13 of the North Dakota Century Code, relating to the legacy earnings fund; to provide a statement of legislative intent; to provide an appropriation; and to provide an expiration date.

8:31 a.m. Chairman Wanzek opened the meeting.

Members present were Chairman Wanzek, Vice-Chair Dwyer, Senator Burckhard, Senator Erbele, and Senator Sickler.

Discussion Topics:

- Bridge infrastructure needs
- Load limits
- ARPA funds no longer available
- Preliminary studies
- Estimated costs
- Contractor availability
- Revenue sources
- Effects of infrastructure upon economy
- Fiscal needs over next five bienniums
- Local control
- Federal fund requirements
- State funding sources and priorities
- Cass County bridges: 582 total
- Upper Great Plains Transportation
- Bridges less than 20 feet
- "Pay now or pay later."
- Property tax
- Investment in 38 billion-dollar-agriculture industry
- School bus, ambulance, and fire department access
- Infrastructure legacy
- Value of legacy funds / cost of legacy infrastructure
- Governor's proposed budget
- Public safety
- Upper Great Plains Transportation Institute (UGPTI) Study
- Energy industry needs
- Low-population counties' closed and deficient bridges
- Access for tourism and hunting industries

8:35 a.m. ND Senator Paul Thomas testified in favor and submitted testimony #30820 and #30467.

9:07 a.m. Larry Syverson, Executive Director of ND Township Officers Association (NDTOA) testified in favor and submitted testimony #30520.

9:10 a.m. Todd Weber, Vice-President of ND Township Officers Association, testified in favor.

9:14 a.m. Tim Geinert, District Director of ND Township Officers Association, testified in favor.

9:21 a.m. Pete Hanebutt, Director of Public Policy for ND Farm Bureau, testified in favor.

9:22 a.m. Rod Meyer, District Representative of ND Township Officers Association, testified in favor.

9:28 a.m. Perrell Grossman, Legislative Director for ND Soybean Growers Association, testified in favor and submitted testimony #30363.

9:32 a.m. Loren Estad, from Pembina County, testified in favor.

9:39 a.m. Genny Dienstmann, Director of Operations for ND Association of Counties, testified in favor and submitted testimony #30356.

9:41 a.m. Dan Wogsland, lobbyist for ND Grain Growers Association, testified in favor and submitted testimony #30352.

9:45 a.m. Leslie Icenogle, lobbyist for ND Corn Growers Association, testified and submitted testimony #30425.

9:47 a.m. Julie Ellingson, Executive Vice President of ND Stockmen's Association, testified in favor.

9:49 a.m. Matt Purdue, Government Relations Director for ND Farmers Union, testified in favor and submitted testimony #30430.

9:52 a.m. Lance Johnson, McHenry County, testified and submitted testimony #30481.

9:57 a.m. Carey Burke, lobbyist for Associated General Contractors of ND, testified in favor.

Additional written testimony:

Josh Heuchert submitted testimony #30362 in favor.

9:59 a.m. Chairman Wanzek closed the hearing.

Carol Thompson, Committee Clerk



**North Dakota Grain Growers Association
Testimony in Favor of SB 2151
Senate Appropriations Government Division
January 21, 2025**

Chairman Wanzek, members of the Senate Appropriations Government Operations Division, for the record I am Dan Wogsland representing the North Dakota Grain Growers Association. On behalf of NDGGA, I am here to express our support for Senate Bill 2151.

SB 2151 proposes significant and positive changes to North Dakota's legacy fund earnings allocation, establishing new funds to support critical infrastructure and tax relief initiatives. These changes will have a substantial positive impact on our state's agricultural producers and rural communities.

Infrastructure Investment

SB 2151 creates a County and Township Bridge Fund, allocating \$100 million per biennium for much-needed bridge repairs and replacements. This addresses a critical infrastructure need, especially in rural areas where our members operate:

- \$80 million will be distributed to eligible counties based on their share of bridge repair needs.
- \$20 million will be allocated to the Department of Transportation for projects in counties with smaller infrastructure needs.

This targeted funding will significantly improve transportation safety and efficiency across North Dakota, directly benefiting our grain producers who rely on these roads and bridges to transport their crops.

Economic Development and Long-Term Vision

Investing in infrastructure stimulates economic growth, particularly in the agricultural sector. Improved bridges support commerce and agriculture by ensuring efficient transportation of goods. This investment demonstrates a forward-thinking policy that addresses critical infrastructure needs while establishing a 10-year plan for bridge funding.

Fiscal Responsibility and Tax Relief

The bill maintains a balanced approach to legacy fund earnings. It preserves allocations for debt service and highway funding while creating a sustainable funding stream for bridge projects through 2035. Additionally, the establishment of a Legacy Earnings Tax Relief Fund provides a mechanism to return legacy fund earnings to North Dakota residents through potential tax reductions.

Conclusion

In conclusion, SB 2151 offers a balanced, responsible approach to utilizing North Dakota's legacy fund earnings. It addresses immediate infrastructure needs while creating opportunities for future tax relief and economic growth. The bill's focus on rural infrastructure, fiscal responsibility, and long-term planning make it particularly beneficial for our state's agricultural producers.

Therefore the North Dakota Grain Growers Association urges your support for Senate Bill 2151. This legislation will strengthen our state's infrastructure, support our agricultural economy, and provide long-term benefits to all North Dakotans.

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

Testimony Prepared for:
Senate Appropriations-Govt. Ops.
January 21, 2025
By: Genny Dienstmann, NDACo



**RE: Support of SB 2151
County & Township Bridge Fund**

Chairman Wanzek and Committee Members, thank you for the opportunity to provide testimony in support of SB 2151.

North Dakota's rural bridges have the ninth highest rate of structural deficiencies in the country. We rank in the bottom 10 states in percentage of structurally deficient bridges. Simply stated, we have a lot of rural bridges in poor condition.

As you can see by the attached summary from the UGPTI Needs Study, over the next 20 years, bridge costs alone for counties and townships is estimated to be over \$1 Billion. Consistent long-term funding included in this bill, will allow counties and townships to effectively plan and construct bridge projects, concentrating on those bridges in most dire need in both structural and safety concerns for the traveling public.

Chairman Wanzek and Committee members, we support this bill and request a DO PASS recommendation on SB 2151.

**UGPTI Needs Study
County/Township Bridge Needs
2024-2043**

County	Bridge Needs*	No. of Bridges
Adams	7.17	7
Barnes	29.30	8
Benson	2.23	4
Billings	11.72	7
Bottineau	33.00	33
Bowman	7.81	12
Burke	3.25	6
Burleigh	4.89	8
Cass	69.70	43
Cavalier	6.69	8
Dickey	8.86	3
Divide	1.15	2
Dunn	8.97	6
Eddy	6.64	3
Emmons	7.13	8
Foster	4.49	3
Golden Valley	4.97	4
Grand Forks	52.50	69
Grant	52.37	24
Griggs	2.75	1
Hettinger	21.54	27
Kidder	-	0
LaMoure	13.70	11
Logan	1.15	3
McHenry	42.07	40
McIntosh	2.86	2
McKenzie	21.44	15
McLean	10.60	7
Mercer	44.77	21
Morton	75.37	67
Mountrail	1.73	1
Nelson	5.66	3
Oliver	13.13	7
Pembina	60.51	62
Pierce	0.54	1
Ramsey	3.46	3
Ransom	25.42	7
Renville	12.95	6
Richland	57.91	49
Rolette	1.12	2
Sargent	3.23	6
Sheridan	-	0
Sioux	0.69	1
Slope	8.48	2
Stark	38.40	23
Steele	24.74	29
Stutsman	22.25	11
Towner	7.73	11
Traill	129.30	61
Walsh	69.13	68
Ward	29.72	22
Wells	3.12	4
Williams	8.86	16
TOTAL	1,087.17	847

* Dollars are in Millions

Josh Heuchert Farms Cavalier ND

Heuchert Willow Creek Ranch, Hensel ND

304 Spruce Lane
Cavalier, ND 58241

Dear Senate Appropriations Committee:

SB 2151 sadly is becoming a necessity for rural access in our counties. Many bridges and cement crossings have lived their lifespan or are not able to accommodate weights required for modern loads and services. All the attention over the years has been into “get by fixes”, and into the major paved road structures. This fall Pembina County had a new “Engineered” Bridge Culvert collapse hours from re-opening to the public, on a Highway. Budget Blown. Really makes me question engineering in 2025. With the advent of new regulations and inspection guidelines imposed by the State many gravel road bridges have had their rating cut so that a loaded school bus, fire truck, or an ambulance cannot pass legally. Major farm to market roads obstructed by a 6-ton bridge. A very common sight now. I served on the waterboard in Pembina County and was involved in the repair of countless bridges left barely standing in the flood of 2013. Seven bridges just on drain 67 alone. Getting to a open farm to market road is getting to be a pretty sketchy endeavor with all the water crossings in eastern ND. I only know of a handful that we cross that aren’t restricted in some manner. Something must be done as we have kicked the can twenty years to many already. Prices aren’t going to get any better, and we need to make hay when the sun is shining. We can have all the money in the coffers we want gaining interest, but when someone gets killed, we probably will know then, what we really should have spent it on.

With respect,

Josh Heuchert



SENATE BILL NO. 2151
SENATE APPROPRIATIONS GOVERNMENT OPERATIONS DIVISION
TERRY WANZEK, CHAIR
TESTIMONY IN SUPPORT OF SENATE BILL 2151

Chairman Wanzek and members of the Senate appropriations Government Operations Division. I am Parrell Grossman, and it is my privilege to be the Legislative Director for the North Dakota Soybean Growers Association. I appear in support of Senate Bill 2151.

The North Dakota Soybean Growers Association advocates for 8,900 operations that raise soybeans in North Dakota. In 2024, those soybean farmers planted 6,600,000 acres of soybeans, producing over 245 million bushels of soybeans.

This legislation, providing a dedicated source of funding to support the maintenance, repair, and replacement of bridges in counties and townships, is very critical to rural North Dakota.

According to the Upper Great Plains Transportation Industry's October, 2024 Report to the North Dakota Legislative Assembly, the estimated bridge investment and maintenance needs for county, township and tribal bridges for 2024-2043 is \$178.9M. According to the Report, most of the improvement needs are determined by the study's improvement model to be backlog needs and occur during the first study biennium.

This Committee is already well-aware that a 2022 North Dakota Agriculture Industry Economic Contribution Analysis conducted by the NDSU Department of Agriculture, the economic contribution to North Dakota is \$30.8 billion, including \$18.8 billion from direct output and \$12 billion from secondary output. The Association encourages this legislature to continue to significantly invest in agriculture in North Dakota. Repairing or replacing bridges in rural areas is, in fact, investing in agriculture, although this funding ultimately will serve many purposes and benefit many people.

Bridges in rural areas that need repair or replacement are a significant concern for many reasons:

Unreliable or closed bridges can result in significant agricultural disruption. Soybean farmers rely heavily on timely access to fields and markets. Bridge closures can disrupt planting, harvesting, and transportation of goods, impacting the ability of farmers to get products to market and, resultingly, their livelihoods. Businesses in rural areas may face difficulties transporting goods and accessing customers due to bridge limitations. For farmers, bridge problems can delay the timely delivery of their inputs like fuel, seed, fertilizer, and pesticides, which may significantly impact their operations from planting to harvesting.

In addition, weight restrictions on bridges result in reduced load capacity and force farmers to take detours, increasing travel time and potentially damaging costly heavier equipment.

Safety hazards are an overriding priority. Deteriorating bridges pose a serious risk of structural collapse, potentially leading to tragic accidents. Poor bridge conditions can increase risks and contribute to accidents due to uneven surfaces, inadequate clearance, and reduced visibility. Reliable bridges ensure our rural students in the entire state get safely to school activities and back to their homes.

Bridges have an economic impact. Limited access resulting from deteriorating bridges can isolate rural communities or residents and hinder access to essential services like healthcare, education, and markets.

Bridges are important for emergency response in rural areas. Delayed response times due to deteriorating bridges can obstruct vehicles like ambulances and fire trucks from reaching residents in need of emergency services. In addition, in case of natural disasters, damaged bridges can create difficulties or complicate evacuation efforts, putting lives at risk.

Closed or failing bridges can reduce quality of life. Reliable bridges, as part of good rural road systems, facilitate social interaction by allowing easier travel to visit friends and family, and attend community events.

Further, bridge closures can increase feelings of isolation and limit social interaction within and between communities.

As informed legislators, who should be able to rely on the Upper Great Plains Transportation Institute's October Report, you certainly understand the bridge predicament rural North Dakota currently is facing. It is prudent to take measures to avoid it becoming a disaster. The Association respectfully suggests this legislative funding scheme is a necessary and appropriate step.

Mr. Chairman and members of the Government Operations Division, the Association respectfully urges you, after thoughtful consideration and debate, to give Senate Bill 2151 a "Do Pass" recommendation.

Thank you and I would be pleased to answer any questions.



In Favor of SB 2151
Senate Appropriations – Government Operations Division
January 21, 2025

Chairman Wanzek and Committee members:

For the record, my name is Lesley Icenogle, state government liaison for the North Dakota Corn Growers Association (NDCGA). NDCGA represents more than 13,000 growers across the state. Thank you for the opportunity to share our support for Senate Bill 2151.

NDSU's economic contribution analysis of North Dakota's agriculture industry places ag's annual contribution to the economy at \$31 billion and more than 110,000 jobs. This contribution depends on good, reliable public infrastructure. Addressing the backlog of deficient local roads and bridges is a policy priority for NDCGA.

Most townships do not have the funds to repair local bridges and are not able to levy to the level needed. SB 2151 utilizes the Upper Great Plains Transportation Institute's report to distribute state grant funds for the repair and replacement of identified county and township bridges. Predictable, consistent funding for rural infrastructure is critical, and this bill notes the Legislature's intent to continue funding for bridge projects through the county and township bridge fund through June 2035.

The NDCGA mission statement is "growing a healthy, profitable business climate for northern corn," and investing in rural infrastructure will help us meet this mission. We urge your support for SB 2151. Thank you for your consideration, and I will stand for questions.



Contact:
Matt Perdue, Lobbyist
mperdue@ndfu.org | 701.641.3303

**Testimony of
Matt Perdue
North Dakota Farmers Union
Before the
Senate Appropriations Committee – Government Operations Division
January 21, 2025**

Chairman Wanzek and members of the division,

Thank you for the opportunity to testify in support of Senate Bill No. 2151. My name is Matt Perdue, and I am testifying on behalf of North Dakota Farmers Union's members. NDFU supports SB 2151.

During NDFU's most recent annual convention, our members adopted a special order of business outlining our priorities for this legislative session. Included in that list of priorities is funding for rural roads and bridges. Having a strong rural transportation network is critical to farmers' and ranchers' ability to access the market.

According to the Upper Great Plains Transportation Institute (UGPTI), 847 county and township bridges need to be replaced in the next 20 years. The cost of those replacements and additional bridge maintenance totals \$1.1 billion over the 20-year period. Because many of those projects are urgent needs, UGPTI calls for \$178 million investment this biennium and each of the next four biennia.¹

NDFU appreciates the important steps the legislature has taken to address rural infrastructure challenges. However, without significant, routine investments in bridges, we will continue to fall behind. Despite the legislature's generous support in recent years, our estimated bridge needs grew by nearly \$300 million during the last biennium.² SB 2151 will help us catch up to that growing need.

NDFU respectfully requests a "Do Pass" recommendation for SB 2151. I look forward to answering any questions.

¹ Dybing, A., et. al. (2024, October). *Infrastructure Needs: North Dakota's County, Township and Tribal Roads and Bridges: 2024-2043*. NDSU Upper Great Plains Transportation Institute. Retrieved from <https://www.ugpti.org/resources/reports/downloads/2024-10-infrastructure-needs.pdf>.

² *Id.*

multiple box culvert structure costing \$1,134,000. Costs for bridges longer than 50 feet are calculated using the square footage of the deck and an average replacement unit cost. Unit replacement costs were \$530 per square foot of deck area. All costs include approach grading, preliminary engineering and construction engineering costs. Preliminary engineering costs are assumed to add an additional 10% to the bid price, while construction engineering adds another 10% to the total price.

7.1.5. Results – Major Structures

Estimated statewide bridge improvement and preventive maintenance needs for the study period, 2024-2043 are \$1.087 billion. Statewide bridge needs by biennium are shown in Table 23 with needs for individual counties presented in Table 24.

Table 23. Statewide Major Bridge Needs: 2024-2043

Period	Replacement		Maintenance Cost (million)	Total Cost (million)
	Number	Cost (million)		
2024-2025	141	\$178.0	\$0.943	\$178.943
2026-2027	141	\$178.0	\$0.943	\$178.943
2028-2029	141	\$178.0	\$0.943	\$178.943
2030-2031	141	\$178.0	\$0.943	\$178.943
2032-2033	141	\$178.0	\$0.943	\$178.943
2034-2043	142	\$178.3	\$14.145	\$192.445

Table 24. County and Township Major Bridge Needs by County: 2024-2043 (\$2024)

County	Replacement Bridges	Replacement Cost	Preventive Maintenance Cost	Total Cost
Adams	7	\$6,888,488	\$281,726	\$7,170,213
Barnes	8	\$28,573,629	\$726,365	\$29,299,994
Benson	4	\$2,148,908	\$84,734	\$2,233,642
Billings	7	\$11,541,686	\$175,752	\$11,717,437
Bottineau	33	\$32,632,751	\$371,767	\$33,004,518
Bowman	12	\$7,657,782	\$152,189	\$7,809,971
Burke	6	\$3,210,000	\$41,537	\$3,251,537
Burleigh	8	\$4,447,150	\$443,540	\$4,890,689
Cass	43	\$67,083,305	\$2,611,942	\$69,695,248
Cavalier	8	\$6,581,618	\$107,726	\$6,689,344
Dickey	3	\$8,340,325	\$515,219	\$8,855,544
Divide	2	\$1,070,000	\$78,929	\$1,148,929
Dunn	6	\$8,615,888	\$356,721	\$8,972,609
Eddy	3	\$6,394,805	\$246,622	\$6,641,427
Emmons	8	\$6,814,689	\$317,254	\$7,131,943
Foster	3	\$4,378,343	\$107,633	\$4,485,975
Golden Valley	4	\$4,864,477	\$106,377	\$4,970,854
Grand Forks	69	\$50,994,703	\$1,505,649	\$52,500,352
Grant	24	\$52,172,451	\$198,248	\$52,370,699
Griggs	1	\$2,572,686	\$178,237	\$2,750,922

County	Replacement Bridges	Replacement Cost	Preventive Maintenance Cost	Total Cost
Hettinger	27	\$21,271,138	\$270,892	\$21,542,031
Kidder	0	\$0	\$0	\$0
LaMoure	11	\$13,406,190	\$292,155	\$13,698,345
Logan	3	\$1,070,000	\$75,214	\$1,145,214
McHenry	40	\$41,817,900	\$248,191	\$42,066,090
McIntosh	2	\$2,864,434	\$0	\$2,864,434
McKenzie	15	\$20,948,780	\$493,855	\$21,442,636
McLean	7	\$10,268,972	\$331,983	\$10,600,955
Mercer	21	\$44,465,729	\$306,424	\$44,772,153
Morton	67	\$74,452,252	\$914,782	\$75,367,034
Mountrail	1	\$1,513,908	\$216,550	\$1,730,459
Nelson	3	\$5,401,808	\$262,719	\$5,664,527
Oliver	7	\$13,028,574	\$102,033	\$13,130,607
Pembina	62	\$59,987,516	\$525,743	\$60,513,259
Pierce	1	\$535,000	\$0	\$535,000
Ramsey	3	\$3,282,255	\$179,017	\$3,461,273
Ransom	7	\$25,100,829	\$316,179	\$25,417,007
Renville	6	\$12,817,511	\$128,672	\$12,946,183
Richland	49	\$56,553,486	\$1,356,462	\$57,909,948
Rolette	2	\$1,070,000	\$51,342	\$1,121,342
Sargent	6	\$3,210,000	\$22,419	\$3,232,419
Sheridan	0	\$0	\$0	\$0
Sioux	1	\$535,000	\$154,888	\$689,888
Slope	2	\$8,291,283	\$187,607	\$8,478,890
Stark	23	\$37,857,251	\$546,073	\$38,403,324
Steele	29	\$24,276,691	\$461,212	\$24,737,903
Stutsman	11	\$21,854,591	\$397,453	\$22,252,044
Towner	11	\$7,682,000	\$48,336	\$7,730,336
Traill	61	\$128,693,178	\$607,596	\$129,300,774
Walsh	68	\$68,213,690	\$913,930	\$69,127,620
Ward	22	\$29,362,926	\$353,487	\$29,716,413
Wells	4	\$2,800,434	\$316,106	\$3,116,541
Williams	16	\$8,688,000	\$170,544	\$8,858,544
Statewide	847	\$1,068,305,012	\$18,860,031	\$1,087,165,04

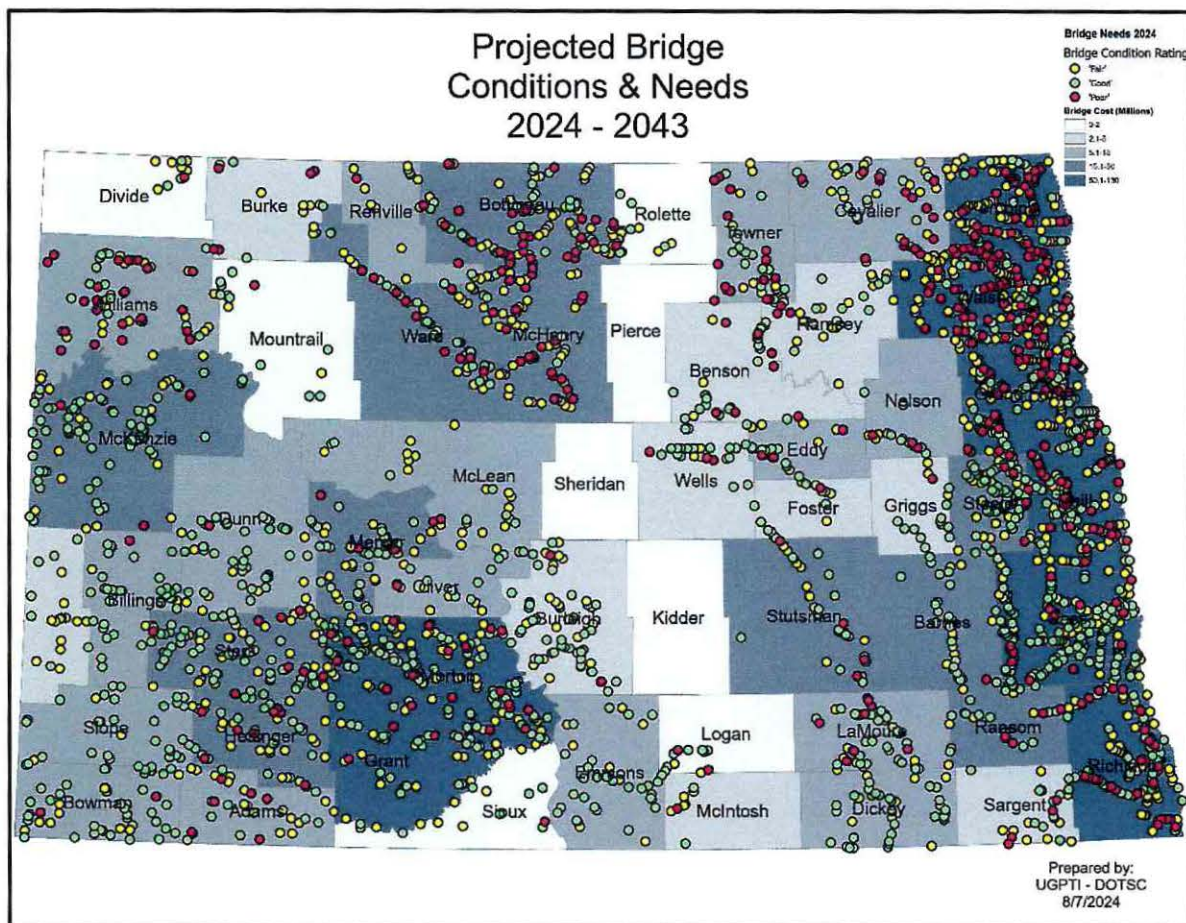


Figure 27. Projected Bridge Needs and Current Conditions

7.2. Minor Structures

Previous needs studies did not include bridge needs for smaller structures that are not included in the National Bridge Inventory which is only for bridges with spans of greater than 20 feet. However, there had been a lot of discussion about adding minor structures to this study for several years. The main issue was that no up-to-date inventory was available for each of the 53 counties in North Dakota. The UGPTI Geographic Road Inventory Tool has a minor structure layer but it was not being utilized by all of the counties. In the summer of 2023, a 1985 inventory of minor structures from the ND DOT was digitized and imported into the GRIT layer. After a meeting with the ND County Bridge Needs Steering Committee in July of 2023, support was overwhelming to move forward with a needs analysis for minor structures which had a span range of 8 to 20 feet. Discussions on the size range had actually begun in the fall of 2021 when the previous report's analysis began. The study team and the steering committee agree that the occurrence of these structures failing can cause severe injury or death to the traveling public. Failures of these structures can also impact the agricultural and oil economies on a local, regional and statewide basis by increasing detour lengths for deliveries of inputs and of the affiliated products produced here in North Dakota.

LANCE JOHNSON 3RD DISTRICT IN McHENRY COUNTY.

CHAIRMAN BEKKEDAH AND COMMITTEE MEMBERS. I AM HERE TO TESTIFY IN FAVOR OF SB 2151. MY COUNTY AND OTHERS SO DESPERATELY NEED THIS BILL FOR BRIDGE REPAIR AND REPLACEMENT. WE HAVE 97 BRIDGES IN OUR COUNTY. THE MOUSE RIVER RUNS THROUGH THE COUNTY AND ALL THE WATER IN THE WATER SHED COMES THRU RENVILLE AND WARD THEN THRU US AND GOES NORTH THRU BOTTINEAU. WE HAVE FOURTEEN OTHER CREEKS, AND RIVERS, PLUS DRAINAGES THAT FEED THE RIVER.

RIGHT NOW, WE HAVE FIVE BRIDGES CLOSED AND FIFTY THAT ARE DEFICIENT FOR WEIGHT. WE REPLACED THREE LAST YEAR. THIS DEPLETED OUR FUNDS FOR MORE BRIDGES TILL MORE FUNDS ARE AVAILABLE THRU FEDERAL BRIDGE AND STATE FUNDS. LAST BIENNEUM A SIMILAR BILL WAS INTRODUCED AND WHEN IT WAS ALL SAID AND DONE, WE RECEIVED \$237,000.00 WHICH ONLY REPLACED SOME STEEL CULVERTS. WE DESPERATELY NEED AROUND FIVE MILLION TO GET SOME OF THE CLOSED BRIDGES REOPENED. THESE BRIDGES ARE CRITICAL TO HEALTH AND SAFETY IN OUR COUNTY SO FIRE AND EMS SERVICES CAN GET THERE TIMELY. GETTING BRIDGES OUT FOR BIDDING TAKES TIME AND FIRMS TO DO THESE ARE HARD TO FIND. THE WORKFORCE IS NOT OUT THERE. WE DO NOT HAVE A DEDICATED BRIDGE CREW TO EVEN DO MAINTENANCE ON THE BRIDGES RIGHT NOW. WE ARE ASKING FOR OUR HIGHWAY FUNDS TO BE USED FOR BRIDGE REPLACEMENT. THIS IS PUTTING PAVED ROAD UPKEEP ON HOLD.

WE ARE A LARGE POOR COUNTY WITH THIRTY THOUSAND ACRE REFUGE AND A LARGE AMOUNT OF STATE OWNED LAND 6,345 ACRES. WHICH WE GET SOME PAYMENT IN LIEU OF TAXES BUT NOT WHAT OWNERSHIP WOULD PRODUCE. OUR POPULATION IS UNDER 6,000 PEOPLE. NOT MUCH INDUSTRY AND ONLY A HAND FULL OF PRODUCING OIL WELLS. OUR ROAD AND BRIDGE MILLS ARE AT MAXIMUM AND NOT BRINGING IN THE REQUIRED MONEY THAT WE NEED.

PLEASE CONSIDER THIS BILL IN ITS ENTIRETY. THANK YOU.

Support of SB2151

Senate Appropriations Committee, Government Operations

January 21, 2025

Good morning, Chairman Wanzek and Committee members.

I am Larry Syverson from Mayville. I grow soybeans on my farm in Traill County. I am the Chairman of the Board of Supervisors for Roseville Township in Traill County and the Executive Director of the North Dakota Township Officers Association. NDTOA represents 6,000 Township Officers serving more than 1,400 dues-paying member townships.

I once saw a statistic about bridge numbers in North Dakota that said seven counties contain more than half of the state's bridges. Traill County, where I was born and raised, is one of those seven counties. So, I learned early the importance of bridges for transportation because no matter where one needs to go, there are bridges to cross to get there in those counties.

Many bridges have been eliminated; some have been converted to culvert or box culvert crossings. In some places, Texas-style crossings can be used. Some of the lesser-used routes have been abandoned, and the bridges closed.

Much of the traffic on these rural routes is loaded trucks, and when these loads are detoured, it is not just an inconvenience. It means that those loads will be driven over more miles of road to concentrate the traffic on the remaining roads and bridges. This will accelerate the wear on those roads and perhaps other bridges. So, eliminating a bridge does not equate to total cost savings.

We have people that have traveled some distance today to testify. I want to introduce two members of the NDTOA Board of Directors to speak further on behalf of the association. Todd Weber is the NDTOA Vice President; he will be followed by Tim Geinert, the NDTOA District 6 Director.

I thank them for driving in to testify today. I also thank the others in the room who are here to support critical rural bridges.

Chairman Wanzek and committee members, thank you for this opportunity to testify today. Please give SB2151 your favorable consideration. This concludes my prepared statement. I will try to answer any questions you might have.

GOAL

PASS LEGISLATION TO SECURE FUNDS OVER A TEN-YEAR PERIOD TO ADDRESS
COUNTY AND TOWNSHIP MOST CRITICAL BRIDGE NEEDS

BRIDGE INFRASTRUCTURE NEEDS

- 32% of major local Government bridges, or 750 bridges, are posted for load based on the ND DOT bridge dashboard.
- If a bridge is posted for load, the road is limited in serving its purpose.
- Transportation dependent industries suffer from washboards, potholes and poor road conditions.
 - These same industries are unable to operate when low load limit or closed bridges prohibit their use.



BRIDGE INSPECTIONS



- Bridge inspections are mandatory

PAST HISTORY OF FUNDING

- From 2022 to 2024 the DOT allocated \$80.9 million for 36 bridge replacements
- \$20 million of this funding came from ARPA funds and \$16.5 million from local match

PROBLEMS WITH HISTORICAL FUNDING

- Not enough
- Cost share can be prohibitive for some counties
- One shot appropriations
 - Counties unable to do long term planning and studies

WHAT DO WE WANT TO FUND?

- Bridge Replacement
 - New Bridge Construction
 - Replacement with culverts or other structures when possible
- Bridge Repair



WHAT ARE SOME ESTIMATED COSTS



Hydrology Study
\$10,000 to \$20,000



Box Culverts to replace
bridges \$500,000 to
\$900,000



Bridge replacement \$1
to \$5 million / bridge



Bridge repair variable

WHERE ARE THESE BRIDGES?

- 2024 UGPTI study identified
 - 2 counties with no bridge needs last session it was 7
 - 17 counties with 1 to 5 bridges in need of rehabilitation or replacement
 - 19 counties with 6 to 19 bridges in need of rehabilitation or replacement
 - 15 counties with 20 or more
 - Grand Forks, Morton, Pembina, Traill and Walsh have over 60 each
 - Renville – 6, McLean – 7, Ward – 22, Bottineau – 33, McHenry 40



EXAMPLES OF PROBLEMS CREATED

Land surrounded by Mouse River with two access points, one bridge is closed the other bridge is derated to 8 ton.

Farmstead and private land with only access to it is a closed bridge.

8 ton, 12 ton and 31 ton load limits on farm to market roads that are built for 80,000 lb. or greater payloads but are now hindered by deficient bridges.









CONSIDERATIONS TO HOW MUCH FUNDING

- How much work can be done in biennium
 - Avoid inflation
 - Federal dollars have been increased nationwide to address infrastructure
 - Contractors are currently tied up on FM Diversion
 - Limitations include
 - Lack of bridge contractors currently in ND
 - Number of engineers / firms available
 - Time involved to do proper studies – engineering, hydrology, easements, mitigation

COUNTY AND TOWNSHIP BRIDGE NEEDS

- 2024 Study by Upper Great Plains Transportation Institute
 - Identified \$1.087 billion needed in improvement and preventative maintenance needs over the next 5 bienniums.
 - In person meetings with Counties, Contractors and Engineers have supported their ability to expend \$100 million / biennium without causing hyper inflation due to lack of labor and resources

LEGISLATIVE LANGUAGE

- State funding needs to be directed to bridges
- Stream over a period of years to allow for long term plans and efficiency
- Allocated to each county as a percent of their identified needs in the 2024 UGPTI study
 - For counties with fewer bridge needs their appropriation will need to be allocated based on a project cost rather than an annual percent
 - Address these needs on a county-by-county basis
- Ten year / 5 biennium timetable

The background image shows a rural landscape with a dirt road, a utility pole, and a weight limit sign. The sign is white with black text and a black border, reading "WEIGHT LIMIT 4 TONS". Above it are two green street signs: "4 AVE NE" and "40 ST NE". The scene is set against a backdrop of rolling hills and a cloudy sky.

STATE DOT INVOLVEMENT

- Allocate funds to DOT and have them distribute to counties based on formula
 - Advantages
 - Clearing house for allocating to counties with fewer needs
 - Oversight of a statewide benefit
 - Leverage with federal funds to decrease the amount needed from state
 - Potential disadvantages of Federal match
 - Perception of loss of local control
 - Time delay in funds being allocated while waiting for federal match
 - Potential need for local match if Federal funds are used
 - Potential for Federal guidelines being used in allocation formula
 - Ex. 6 mile recommendation

A photograph of a concrete bridge structure, possibly a culvert or a small bridge, with a large red text overlay that reads "QUESTIONS". The bridge is made of concrete and has a dark, possibly painted, section in the middle. The background shows a line of bare trees and a clear sky. In the foreground, there are tall, dry reeds or grasses. A yellow and black striped warning sign is visible on the right side of the bridge.

QUESTIONS

2025 SENATE STANDING COMMITTEE MINUTES

Appropriations - Government Operations Division Red River Room, State Capitol

SB 2151
1/30/2025

A BILL for an Act to create and enact two new sections to chapter 54-27 of the North Dakota Century Code, relating to a county and township bridge fund and a legacy earnings tax relief fund; to amend and reenact section 21-10-13 of the North Dakota Century Code, relating to the legacy earnings fund; to provide a statement of legislative intent; to provide an appropriation; and to provide an expiration date.

3:17 p.m. Chairman Wanzek opened the hearing.

Members present: Chairman Wanzek, Vice-Chair Dwyer, Senator Burckhard, Senator Erbele, and Senator Sickler.

Discussion Topics:

- SB 2142 / SB 2151 synergy
- Motor vehicle excise tax
- Bridge definition
- Drainage structures
- Certified road miles
- Highway tax distribution fund structure
- Mills levied
- Plans, priorities, corridors
- Drainage designs
- Sustainable maintenance for township and county roads
- 3-cent gas tax distribution to township and county roads
- Low-water river crossings
- County hydrology studies
- DOT Flex Fund
- Matching fund requirements
- Long-range planning ability

3:22 p.m. Ron Henke, Director of ND Department of Transportation (DOT), testified in favor.

4:03 p.m. Scott Meske, ND Township Officers Association, testified in favor.

4:10 p.m. Chairman Wanzek closed the meeting.

Carol Thompson, Committee Clerk

2025 SENATE STANDING COMMITTEE MINUTES

Appropriations - Government Operations Division Red River Room, State Capitol

SB 2151
2/18/2025

A BILL for an Act to create and enact two new sections to chapter 54-27 of the North Dakota Century Code, relating to a county and township bridge fund and a legacy earnings tax relief fund; to amend and reenact section 21-10-13 of the North Dakota Century Code, relating to the legacy earnings fund; to provide a statement of legislative intent; to provide an appropriation; and to provide an expiration date.

10:41 a.m. Chairman Wanzek opened the hearing.

Members present: Chairman Wanzek, Vice-Chair Dwyer, Senator Burckhard, Senator Erbele, and Senator Sickler.

Discussion Topics:

- County bridges
- Department of transportation bridge fund

10:43 a.m. Senator Erbele moved a Do Not Pass for SB 2151.

10:43 a.m. Senator Burckhard seconded the motion.

Senators	Vote
Senator Terry M. Wanzek	Y
Senator Randy A. Burckhard	Y
Senator Michael Dwyer	Y
Senator Robert Erbele	Y
Senator Jonathan Sickler	Y

Motion passed 5-0-0

Senator Wanzek will carry the bill.

10:44 a.m. Chairman Wanzek closed the hearing.

Carol Thompson, Committee Clerk

2025 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee Harvest Room, State Capitol

SB 2151
2/19/2025

A BILL for an Act to create and enact two new sections to chapter 54-27 of the North Dakota Century Code, relating to a county and township bridge fund and a legacy earnings tax relief fund; to amend and reenact section 21-10-13 of the North Dakota Century Code, relating to the legacy earnings fund; to provide a statement of legislative intent; to provide an appropriation; and to provide an expiration date.

4:18 p.m. Chairman Bekkedahl opened the hearing.

Members Present: Chairman Bekkedahl, Vice-Chairman Erbele, and Senators Burckhard, Cleary, Conley, Davison, Dever, Dwyer, Magrum, Mathern, Meyer, Schaible, Sickler, Sorvaag, Thomas, Wanzek.

Discussion Topics:

- Committee Action

4:18 p.m. Senator Wanzek introduced the bill and submitted testimony #38183.

4:18 p.m. Senator Wanzek moved a Do Not Pass.

4:18 p.m. Senator Erbele seconded the motion.

Senators	Vote
Senator Brad Bekkedahl	Y
Senator Robert Erbele	Y
Senator Randy A. Burckhard	Y
Senator Sean Cleary	Y
Senator Cole Conley	Y
Senator Kyle Davison	Y
Senator Dick Dever	Y
Senator Michael Dwyer	Y
Senator Jeffery J. Magrum	Y
Senator Tim Mathern	Y
Senator Scott Meyer	Y
Senator Donald Schaible	Y
Senator Jonathan Sickler	Y
Senator Ronald Sorvaag	Y
Senator Paul J. Thomas	Y
Senator Terry M. Wanzek	Y

Motion Passed 16-0-0.

Senator Wanzek will carry the bill.

Senate Appropriations Committee

SB 2151

02/19/2025

Page 2

4:19 p.m. Chairman Bekkedahl closed the hearing.

Elizabeth Reiten, Committee Clerk

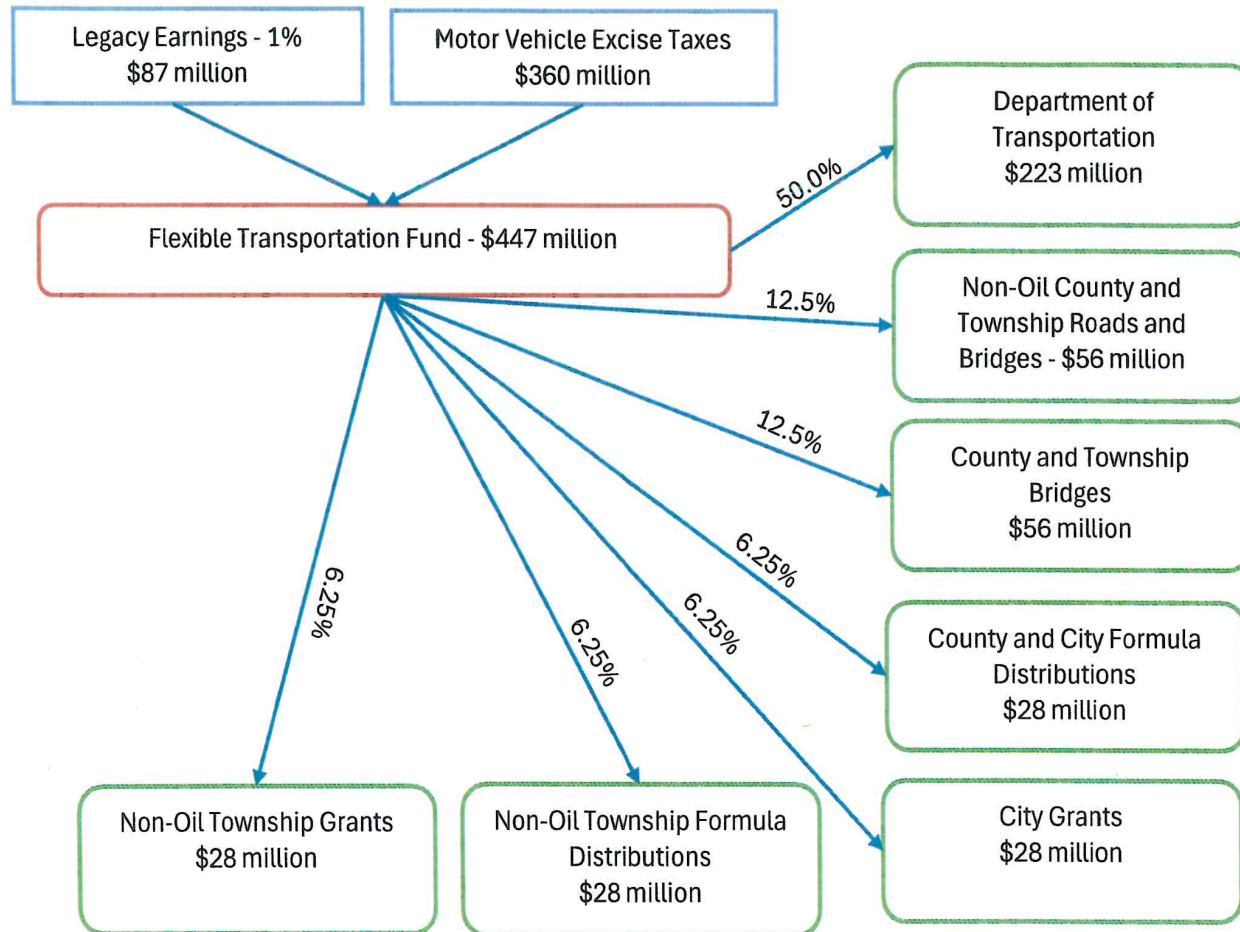
REPORT OF STANDING COMMITTEE
SB 2151 ([25.0680.02000](#))

Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **DO NOT PASS** (16 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). SB 2151 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

2-19-25

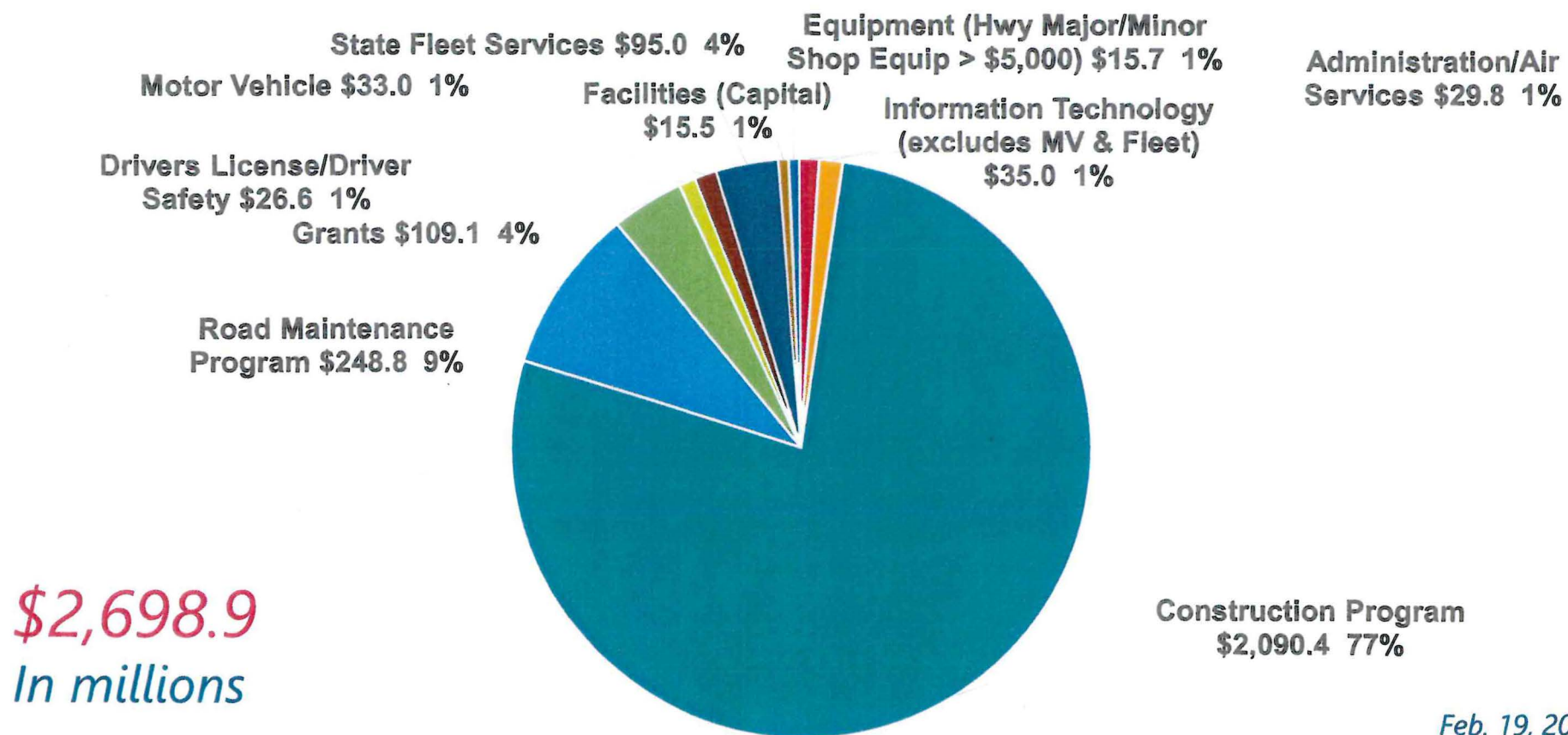
#38183

Proposed Flexible Transportation Fund Allocations



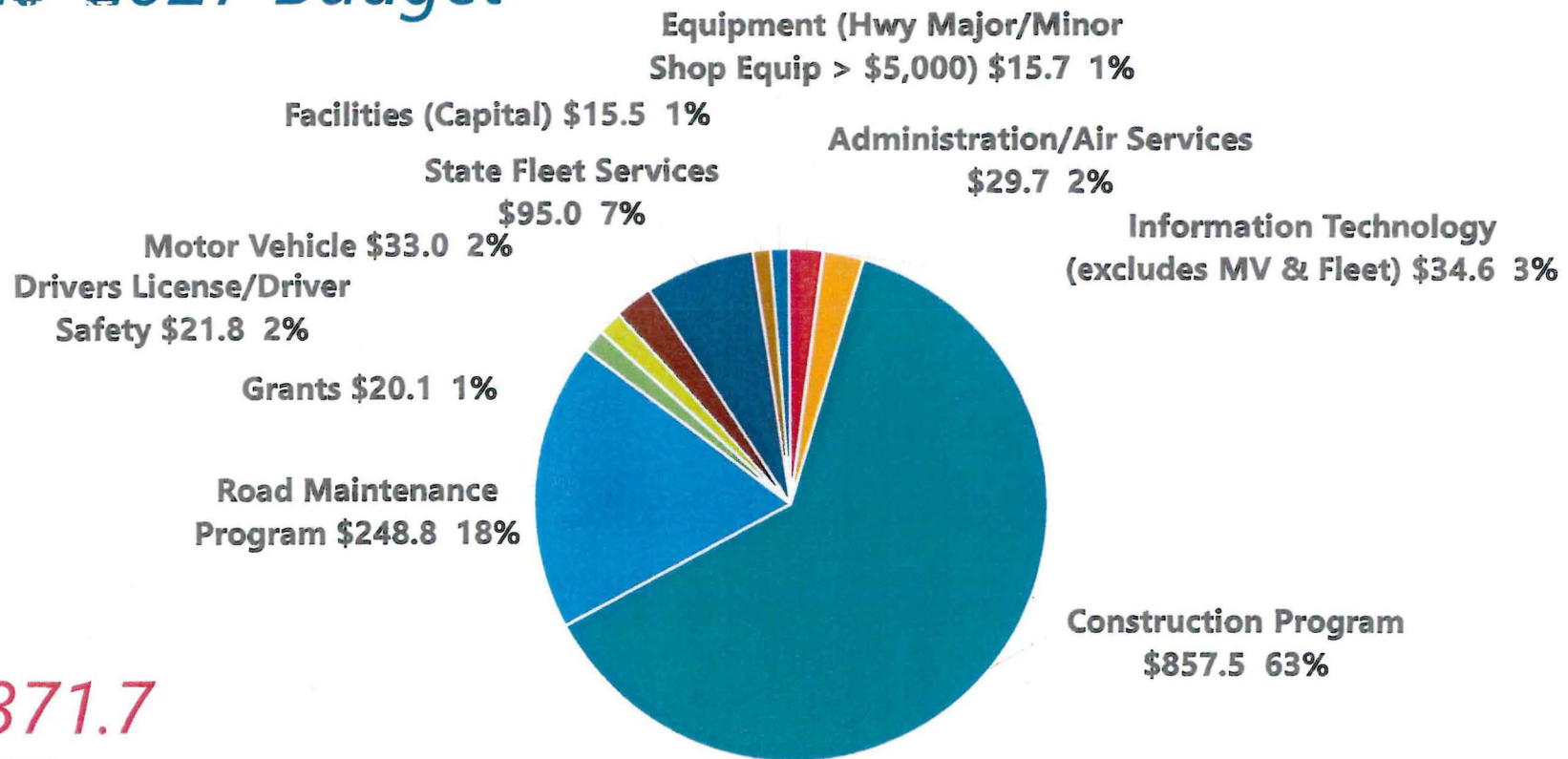
NDDOT ALL FUNDS | *With Senate Amendments*

2025-2027 Budget



NDDOT SPECIAL FUNDS | *With Senate Amendments*

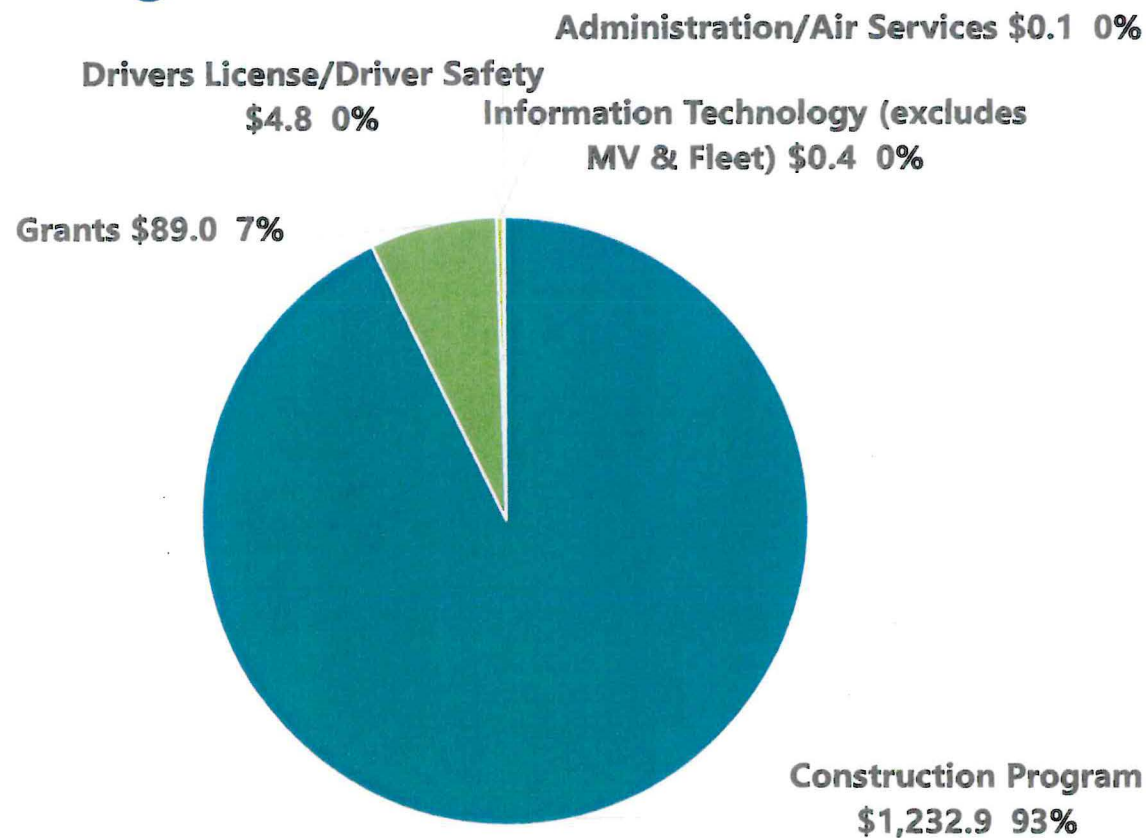
2025-2027 Budget



\$1,371.7
In millions

NDDOT FEDERAL FUNDS | *With Senate Amendments*

2025-2027 Budget



\$1,327.2
In millions