

Amendment to SB 38-FN

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT making an appropriation to the department of transportation for local highway aid  
4 and aid for municipal bridges, relative to distribution of highway aid, and relative to  
5 red list bridges.

6 Amend the bill by replacing all after the enacting clause with the following:

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8 1 Purpose Statement. The general court recognizes that there is a need to provide targeted  
9 funding for local infrastructure projects. Therefore, it is the intent of this act to designate certain  
10 surplus funds in the 2016-2017 biennial budget for providing grants to fund local infrastructure  
11 projects in accordance with the purposes and provisions of this act and to further clarify the criteria  
12 for red list bridges.

13 2 Department of Transportation; Appropriation.

14 I. There is hereby appropriated to the department of transportation the sum of \$36,800,000  
15 for the fiscal year ending June 30, 2017, which shall be nonlapsing and expended pursuant to  
16 paragraph II. The governor is authorized to draw a warrant for said sum out of any money in the  
17 treasury not otherwise appropriated.

18 II. The sum appropriated in paragraph I shall be allocated as follows:

19 (a) \$30,000,000 shall be expended for additional "Apportionment A" distributions under  
20 RSA 235:23, I.

21 (b) \$6,800,000 shall be expended for state bridge aid for municipal bridges under RSA  
22 234.

23 III. No funds appropriated in paragraph I shall be used for supplanting locally budgeted  
24 and approved funds for road or bridge maintenance or construction. The funds appropriated in  
25 paragraph I may be considered unanticipated money under RSA 31:95-b and may be accepted and  
26 expended pursuant to RSA 31:95-b, II through IV, whether or not a town has adopted the provisions  
27 of RSA 31:95-b.

28 3 Federal and State Highway Aid; Construction and Reconstruction. Amend RSA 235:23-a, III  
29 to read as follows:

30 III. The commissioner, *for budgeting purposes*, shall allocate *at least 70 percent of* the  
31 funds in the highway and bridge betterment account for the 6 state highway districts in the  
32 following priority:

33 (a) [Repealed.]

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(b) For each state highway district in the state, based upon a formula in which 1/2 of the amount of the funds distributed is based upon the proportion which the mileage of state-maintained class I, class II, and class III highways, excluding turnpikes, in each district, as of January 1 of the previous year, bears to the total of such mileage in the state; and 1/2 of the amount of the funds distributed is based upon the proportion which the number of state maintained class I, class II and class III highway bridges, excluding turnpikes, in each district as of January 1 of the previous year bears to the total of such number of bridges in the state. ***The commissioner shall distribute the remaining funds on a statewide basis to achieve regional equity based on condition, taking into account deviations in bid prices and existing infrastructure condition, excluding funds used for emergency repair.***

4 Red List Bridges. Amend RSA 234:25-a, I to read as follows:

I. The commissioner of transportation shall establish and maintain a list of ***highway*** bridges that are found, after inspection by the department, to be structurally deficient, which shall be known as red list bridges. ***This list shall also include structurally deficient state-owned railroad bridges over highways.***

5 New Paragraph; Red List Bridges; Definition. Amend RSA 234:25-a by inserting after paragraph IV the following new paragraph:

V. In this chapter, a structurally deficient bridge means a bridge with a primary element in poor or worse condition (National Bridge Inventory (NBI) rating of 4 or less).

6 Inspection of Red List Bridges. Amend RSA 234:25-b to read as follows:

234:25-b Inspection of Red List Bridges; Report.

I. The department of transportation shall inspect every ***red list*** state-owned bridge on the red list biannually and every ***red list*** municipal bridge annually ***as a minimum***.

II. The department of transportation shall annually provide a complete list of state-owned and municipally-owned red list bridges to the governor, the executive council, the speaker of the house of representatives, the president of the senate, and the house and senate standing committees with jurisdiction over highways and bridges. Additionally the department shall annually notify the governing bodies of municipalities of any red list bridges owned by such municipality and any state-owned red list bridge within such municipality. These reports and notifications shall be provided on or before ~~February~~ ***April*** 1 of each year.

7 Effective Date.

I. Sections 3 through 6 of this act shall take effect July 1, 2017.

II. The remainder of this act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill:

- I. Makes an appropriation to the department of transportation for local highway aid and municipal bridge aid.
- II. Modifies the distribution of betterment funds.
- III. Clarifies the criteria for red list bridges.