

Sixty-ninth
Legislative Assembly
of North Dakota

FIRST ENGROSSMENT

ENGROSSED HOUSE BILL NO. 1029

Introduced by

Legislative Management

(Government Services Committee)

1 A BILL for an Act to create and enact a new section to chapter 54-35 of the North Dakota
2 Century Code, relating to a facility review committee; and to amend and reenact section
3 48-10-03 of the North Dakota Century Code, relating to the power and duties of the capitol
4 grounds planning commission.

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

6 **SECTION 1. AMENDMENT.** Section 48-10-03 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **48-10-03. Powers and duties of the commission - Authority to accept gifts -**
9 **Continuing appropriation.**

10 The capitol grounds planning commission shall confer with the state council on the arts with
11 respect to the artistic value of monuments, memorials, or works of art to be constructed on the
12 capitol grounds and with qualified consultants retained by it to select sites for buildings,
13 facilities, monuments, memorials, or works of art to be constructed on the capitol grounds. The
14 commission shall develop and modify long-term plans for the development of the capitol
15 grounds. The commission shall approve or disapprove the basic style ~~and~~ exterior construction,
16 and physical and aesthetic features of the public interior areas of any building, facility,
17 monument, memorial, or work of art constructed on the capitol grounds. Except as otherwise
18 provided by this section, the commission has exclusive authority to accept or reject gifts of any
19 type or class of property for exterior placement on the capitol grounds or for the improvement of
20 the exterior construction of any building or facility on the capitol grounds, including landscaping
21 and improvements to the capitol grounds. Any gifts of money accepted pursuant to this section
22 must be deposited in the capitol building fund and are appropriated on a continuing basis to the

1 commission for purposes consistent with this section. No construction or placement of an item
2 on the capitol grounds may be undertaken without the approval of the commission, unless the
3 construction or placement is authorized by the legislative assembly. If the legislative assembly
4 by law or resolution authorizes the construction or placement of an item on the capitol grounds,
5 the commission shall approve the site, basic style, and exterior construction of the item within a
6 reasonable period of time.

7 The commission shall advise the director of the office of management and budget and the
8 legislative council on matters relating to the physical and aesthetic features of the non-public
9 interior areas of all buildings on the capitol grounds. The commission must be called in and shall
10 meet whenever major interior changes, including new construction, remodeling, or renovation of
11 any kind, are proposed or considered for the buildings or facilities on the capitol grounds. The
12 commission must be consulted before the purchase or installation of furniture or fixtures in
13 public areas of the capitol and other buildings on the capitol grounds. The commission shall
14 perform any other duties as may be prescribed by law.

15 **SECTION 2.** A new section to chapter 54-35 of the North Dakota Century Code is created
16 and enacted as follows:

17 **Facility construction committee - Powers and duties.**

- 18 1. The legislative management, during each biennium, shall appoint a facility
19 construction committee in the same manner as the legislative management appoints
20 other interim committees. The legislative management shall appoint seven members
21 of the house of representatives, at least one of whom must represent the minority
22 faction of the house of representatives, and six members of the senate, at least one of
23 whom must represent the minority faction of the senate, to the committee.
24 Appointment to the committee is for a term of two years at the discretion of the
25 legislative management. The legislative management shall designate the chairman of
26 the committee. The committee shall operate according to the statutes and procedure
27 governing the operation of other legislative management interim committees.
28 2. The committee shall study and review new facility construction and remodeling
29 projects exceeding two million dollars, including owned and leased facilities, from
30 which the state operates, excluding facilities operated by entities under the control of
31 the state board of higher education, for the purpose of:

- 1 a. Ensuring efficient and effective use of state resources in compliance with law and
2 legislative intent;
- 3 b. Providing the legislative assembly with formal, objective information regarding
4 state facilities and facility construction projects for the basis of legislative action;
5 and
- 6 c. Providing legislative input to state agencies regarding any proposal for a new,
7 expanded, or renovated facility.
- 8 3. A state agency, excluding entities under the control of the state board of higher
9 education, shall inform the legislative council upon issuing an invitation to bid for
10 architect, engineer, construction management, or land surveying services under
11 section 54-44.7-03 for the purpose of constructing a new facility or a renovation or
12 addition to an existing facility exceeding two million dollars.
- 13 4. A state agency, excluding entities under the control of the state board of higher
14 education, shall inform the legislative council of any agreement exceeding two million
15 dollars for the construction or renovation of a facility leased or to be leased by the
16 state agency.
- 17 5. The committee may call on personnel from state agencies to furnish such information
18 as the committee may request.
- 19 6. The committee shall meet at least once each calendar quarter upon the call of the
20 chairman.
- 21 7. The committee shall report the findings and recommendations of the committee to the
22 capitol grounds planning commission regarding its review of the construction of a new
23 facility or renovation or addition to an existing facility located on the capitol grounds.
- 24 8. The committee shall report the findings and recommendations of the committee, along
25 with any necessary legislation, to the legislative management and to the legislative
26 assembly.