

**FIRST ENGROSSMENT
with House Amendments**

Fifty-ninth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2087

Introduced by

Appropriations Committee

(At the request of the Office of Management and Budget)

1 A BILL for an Act to amend and reenact sections 44-08-18, 54-21-17.1, and 54-21-18 of the
2 North Dakota Century Code, relating to the transfer of capitol security from the office of
3 management and budget to the highway patrol.

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

5 **SECTION 1. AMENDMENT.** Section 44-08-18 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **44-08-18. Officials and employees of agencies located in capitol building**
8 **responsible for keys issued to them - Return upon termination of employment - Agency**

9 **head responsibility.** Every elected and appointed state official and all state employees
10 employed by or administering any agency, department, board, commission, or other
11 governmental organization with offices located in the state capitol building are responsible for
12 the safekeeping and return of keys allowing entrance to any of such offices or to the capitol
13 building proper ~~which may have been issued to them by the office of management and budget.~~

14 Each official or employee shall, upon or prior to termination of employment in the state capitol,
15 return any and all keys which may have been issued to the official or employee by the ~~office of~~
16 ~~management and budget~~ highway patrol or by the legislative council to the person in charge of
17 such keys in the office or department in which the official or employee was employed. The
18 person in charge, or the person's designee, shall see to the return of the keys to the ~~office of~~
19 ~~management and budget~~ highway patrol in a manner provided by rules and regulations which
20 must be promulgated by the ~~office of management and budget~~ highway patrol. Failure to return
21 a key must be handled as provided in section 54-06-15.

22 **SECTION 2. AMENDMENT.** Section 54-21-17.1 of the North Dakota Century Code is
23 amended and reenacted as follows:

1 **54-21-17.1. ~~Director~~ Superintendent to secure interior of capitol building -**
2 **Issuance and return of keys.** The ~~director~~ superintendent of the ~~office of management and~~
3 ~~budget~~ highway patrol shall see to the security of the state capitol building, and shall have
4 control over the issuance and return of keys allowing entry to the building proper, or any door
5 located therein. Keys to doors in the legislative wing must be issued and controlled by the
6 legislative council when so requested by the ~~office of management and budget~~ highway patrol.
7 The ~~office of management and budget~~ highway patrol shall ~~promulgate rules and regulations~~
8 ~~regarding~~ determine the manner in which keys are to be issued and returned, including the
9 procedure for receiving and recording the payment of fees in lieu of return of keys provided in
10 section 54-06-15.

11 **SECTION 3. AMENDMENT.** Section 54-21-18 of the North Dakota Century Code is
12 amended and reenacted as follows:

13 **54-21-18. Custody of office building - Considered part of capitol building -**
14 **Director has control of public property - Rules - Penalty.** The director of the office of
15 management and budget shall control, manage, and maintain the state office building. The
16 building must be considered a part of the state capitol building within the meaning of statutes
17 relating to the custody, maintenance, and control of the state capitol building and grounds, and
18 within the meaning of statutes requiring state departments or agencies to maintain their offices
19 in the state capitol building.

20 Except as otherwise provided by law, the director of the office of management and
21 budget has charge and control of the executive mansion, the capitol, and the park and public
22 grounds connected therewith. Except as provided by sections 39-10-48 ~~and~~, 39-10-50,
23 44-08-18, and 54-21-17.1, the director may adopt rules to promote the health, safety, and
24 general welfare, to prohibit disturbances and disorderly assemblies, to keep the peace, and to
25 regulate nuisances on the capitol grounds and in any of the buildings located on the capitol
26 grounds. The rules may include regulation of public assemblies and accessibility to the
27 buildings and grounds, obstructions, fees, insurance, forms, indemnification by users, and
28 waiver of insurance and indemnity requirements by the director. A person who violates a rule
29 adopted by the director under this section is guilty of an infraction.