

NORTH DAKOTA LEGISLATIVE COUNCIL

Minutes of the

GOVERNMENT SERVICES COMMITTEE

Thursday, July 16, 2009
Roughrider Room, State Capitol
Bismarck, North Dakota

Representative Ken Svedjan, Chairman, called the meeting to order at 1:00 p.m.

Members present: Representatives Ken Svedjan, Larry Bellew, Kari L. Conrad, Glen Froseth, Bette B. Grande, Karen Karls, Michael R. Nathe, Louise Potter, David S. Rust, Dave Weiler, Alon C. Wieland; Senators Dick Dever, Robert M. Horne, Elroy N. Lindaas, Carolyn Nelson

Members absent: Representatives Randy Boehning, Ralph Metcalf, Blair Thoreson; Senator Richard Marcellais

Others present: See attached [appendix](#)

Mr. Allen H. Knudson, Legislative Budget Analyst and Auditor, reviewed the [Supplementary Rules of Operation and Procedure of the North Dakota Legislative Management](#).

COMMENTS BY COMMITTEE CHAIRMAN

Chairman Svedjan said the Government Services Committee has been assigned studies relating to the classified state employee compensation system, elected officials' salaries, and the Capitol complex and state facilities. He encouraged all committee members to share their ideas and to ask questions regarding the studies.

CLASSIFIED STATE EMPLOYEE COMPENSATION SYSTEM AND STATE ELECTED OFFICIALS' SALARY STUDY

At the request of Chairman Svedjan, the Legislative Council staff presented a memorandum entitled [Study of Classified State Employee Compensation System and Salaries of State Elected Officials - Background Memorandum](#) relating to the committee's assigned responsibility to study the classified state employee compensation system, including a review of the development and determination of pay grades and classifications and the salaries of state elected officials, including a comparison of salaries, the number of full-time equivalent and temporary employees supervised by the elected official, the complexity of each elected official's responsibilities, and a comparison to similar positions in other states.

The Legislative Council staff said the Central Personnel System Act was passed in 1975. The Act created the Central Personnel Division of the Office of Management and Budget and the State Personnel Board which are provided for in North Dakota Century

Code Chapter 54-44.3. The purpose of the Central Personnel Division is to establish a unified personnel administration system for classified employees of the state. The purpose of the State Personnel Board is to oversee the development and administration of the classification system. The Central Personnel Division was changed to North Dakota Human Resource Management Services in August 2003 pursuant to 2003 Senate Bill No. 2092.

The Legislative Council staff said the federal government requires certain state agencies and units of local government to operate under a merit system of personnel administration because of the federal funds they receive for the programs they administer (i.e., economic assistance).

The merit system follows certain principles:

- Recruiting, selecting, and advancing employees is done on the basis of ability and includes open consideration of qualified applicants.
- Equitable and adequate compensation is ensured.
- Employees must be trained to ensure quality performance.
- Employees are retained on the basis of performance.
- Fair treatment is accorded to all employees.
- Employees are protected from coercion and prohibited from using their official authority improperly.

The Legislative Council staff said pursuant to Section 54-44.3-30, agencies operating under merit system principles are the Department of Human Services, State Department of Health, Job Service North Dakota, Division of Homeland Security, Protection and Advocacy Project, and Human Resource Management Services. Included in the Department of Human Services are the regional human service centers, the Developmental Center at Westwood Park, the State Hospital in Jamestown, and the county social service boards. Other agencies, departments, or divisions and positions may be placed under a merit system in the manner and to the extent required by law.

Class Evaluation System

The Legislative Council staff said to fulfill the purpose of the Central Personnel Division, the North Dakota class evaluation system was developed in 1982. Human Resource Management Services, as

part of the class evaluation system, quantifies the factors used for valuing a job in the classification system. The factors evaluated include the knowledge and skills required for the job, the complexity, the accountability of the position, and the working condition hazards. The division conducts market surveys to determine the appropriate pay for a particular job. These surveys are periodically updated. Prior to the 2003-05 biennium, North Dakota updated its midpoint salaries biennially to 95 percent of the previous year's market level. No changes were made in the 2003-05 biennium, and in the 2005-07 biennium the midpoints were adjusted by 4 percent each year. In the 2007-09 biennium, the midpoints were adjusted to reflect 95 percent of market in 2007 and by 3 percent in 2008. Market comparisons are made to Job Service North Dakota labor market information for grades 1 through 10 and to a 10-state market sample, including the states of Colorado, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, Oklahoma, South Dakota, and Wyoming, for grades 11 through 20. Pay ranges are based on the salary range midpoints with the salary range minimum being 25 percent less than the midpoint and the salary range maximum being 25 percent more than the midpoint.

Section 54-44.3-20 provides that all positions within the state are included in the classification system except for the following positions:

1. Each official elected by popular vote and each person appointed to fill vacancies in an elective office, one principal assistant, and one private secretary.
2. Members of boards and commissions required by law.
3. Administrative heads of departments required by law, other than the superintendent of North Dakota Vision Services - School for the Blind, the superintendent of the School for the Deaf, and the state librarian.
4. Officers and employees of the legislative branch of government.
5. Members of the judicial branch of government of the state of North Dakota and their employees and jurors.
6. Persons temporarily employed in a professional or scientific capacity as consultants or to conduct a temporary and special inquiry, investigation, or examination for the legislative branch of government or a department of the state government.

7. Positions deemed to be inappropriate to the classified service due to the special nature of the position as determined by the division and approved by the board.
8. Employees of the institutions of higher education under the control of the State Board of Higher Education.
9. Members and employees of occupational and professional boards.
10. Officers and employees of the Mill and Elevator.
11. The director of the Committee on Employment of People With Disabilities of the Department of Human Services.
12. Positions referred to under law as serving at the pleasure of or at the will of the appointing authority.
13. Licensed teachers engaged in teaching at the Youth Correctional Center, North Dakota Vision Services - School for the Blind, and the School for the Deaf.
14. Officers of Workforce Safety and Insurance.
15. Officers and employees of the Department of Commerce.
16. Attorneys employed by the Insurance Commissioner.
17. Engineers and geologists employed by the director of mineral resources.

The Legislative Council staff said as of August 2008 state agencies employed 6,750 classified employees with an average employee age of 46.4 years, average years of service of 13.2, and an average annual salary of \$39,622.

Compensation Plan

The Legislative Council staff said the current salary range structure includes 20 pay grades with a range width of approximately 66 percent and approximately a 10 percent difference between each grade. The ranges are recalculated annually to ensure the midpoints of all ranges are within 5 percent of the average market salary for the level of work (dependent on legislative salary appropriations).

Salary Increase History

The Legislative Council staff reviewed the following summary, which provides a history of state employee salary increases and the cost of providing salary increases for the 1997-99 through 2009-11 bienniums:

State Employee Salary Increases				
Biennium	Percentage Increase	General Fund	Special Funds	Total
1997-99	3% on July 1, 1997 (includes 1.5% for merit) and 3% on July 1, 1998 (includes 1.5% for merit)	\$24,304,117	\$12,520,861	\$36,824,978
1999-2001	2% with a \$35 per month minimum on July 1, 1999, and 2% with a \$35 per month minimum on July 1, 2000	\$17,681,836	\$9,633,401	\$27,315,237
2001-03	3% with a \$35 per month minimum on July 1, 2001, and 2% with a \$35 per month minimum on July 1, 2002	\$27,043,178	\$12,493,632	\$39,536,810
2003-05	Up to 1% on January 1, 2004, and up to 2% on January 1, 2005 (based on the elimination of positions and savings from vacant positions)			\$0

State Employee Salary Increases				
Biennium	Percentage Increase	General Fund	Special Funds	Total
2005-07	4% on July 1, 2005, and 4% on July 1, 2006	\$19,778,486	\$21,746,666	\$41,525,152
2007-09	4% with a \$75 per month minimum on July 1, 2007, and 4% with a \$75 per month minimum on July 1, 2008 (salary increases were to be based on merit and equity and were not to be given across the board)	\$23,372,817	\$22,505,911	\$45,878,728
2009-11	5% with a \$100 per month minimum on July 1, 2009, and 5% with a \$100 per month minimum on July 1, 2010 (salary increases are to be based on merit and equity and are not to be given across the board)	\$36,821,006	\$31,667,339	\$68,488,345

Equity Adjustments

The Legislative Assembly has provided funding, in addition to general salary increases, for pay or market equity adjustments for state employees. The funding has been appropriated either to the Office of

Management and Budget to distribute to classified state employees in various agencies or directly to selected agencies. The Legislative Council staff reviewed the schedule below which presents the funding appropriated by the Legislative Assembly for these equity increases since the 1999-2001 biennium:

	General Fund	Special Funds	Total
1999-2001 biennium			
Equity adjustment - Classified employee salary pool	\$2,700,000	\$2,700,000	\$5,400,000
North Dakota University System salary pool	2,685,227		2,685,227
Merit increase - Department of Transportation engineers		800,000	800,000
Equity adjustment - Elected and appointed officials	77,000	22,000	99,000
Equity increase for Information Technology Department programmers and analysts		317,644	317,644
Equity increase for State Auditor's office	38,000		38,000
Public Employees Retirement System		33,574	33,574
Department of Public Instruction information technology staff	72,444		72,444
Agricultural Experiment Station/Extension Service, Upper Great Plains Transportation Institute, Northern Crops Institute	422,400		422,400
Total 1999-2001	\$5,995,071	\$3,873,218	\$9,868,289
2001-03 biennium			
Equity adjustment - Classified employee salary pool	\$2,700,000	\$2,300,000	\$5,000,000
Pay grade minimum adjustments - Classified employees	360,797	131,505	492,302
Equity adjustment - Elected and appointed officials	142,697	35,536	178,233
Equity adjustment - Supreme Court and district court judges	724,451		724,451
Equity adjustment - Department of Corrections and Rehabilitation	422,528		422,528
Equity adjustment - Department of Transportation		1,200,000	1,200,000
Total 2001-03	\$4,350,473	\$3,667,041	\$8,017,514
2003-05 biennium			
Equity adjustment - Legislative Council	\$150,000		\$150,000
Equity adjustment - Public Employees Retirement System		\$80,362	80,362
Equity adjustment - Attorney General's office for assistant attorneys general		241,024	241,024
Equity adjustment - Department of Human Services Program and Policy Division		131,784	131,784
Equity adjustment - Department of Financial Institutions		167,000	167,000
Equity adjustment - Department of Corrections and Rehabilitation Juvenile Services Division	99,856		99,856
Total 2003-05	\$249,856	\$620,170	\$870,026
2005-07 biennium			
Equity adjustment - Department of Corrections and Rehabilitation	\$1,500,000		\$1,500,000
Equity adjustment - Highway Patrol	166,258	\$28,209	194,467
Total 2005-07	\$1,666,258	\$28,209	\$1,694,467
2007-09 biennium			
Equity adjustment - Classified employee salary pool	\$5,000,000	\$5,000,000	\$10,000,000
Equity adjustment - Office of Administrative Hearings administrative law judges		120,528	120,528
Equity adjustment - State Auditor's office	115,500		115,500
Equity adjustment - Legislative Council	148,000		148,000
Equity adjustment - Securities Department attorney position	61,831		61,831
Equity adjustment - Attorney General's office	872,079	10,921	883,000
Equity adjustment - Council on the Arts	23,079		23,079
Equity adjustment - Agriculture Commissioner's office	151,000	108,000	259,000
Equity adjustment - Highway Patrol troopers and sergeants	352,500		352,500
Equity and pay grade adjustment - Adjutant General (State Radio employees)	300,000		300,000

	General Fund	Special Funds	Total
Additional salary increase - Upper Great Plains Transportation Institute	9,955	106,973	116,928
Additional salary increase - Agricultural research and extension agencies	438,129	391,540	829,669
Base salary adjustment - Governor's office increase of base salary of a policy analyst	22,000		22,000
Equity adjustment - Insurance Department for boiler inspectors, attorneys, chief financial examiner, and directors of examining and licensing divisions		172,236	172,236
Equity adjustment - Retirement and Investment Office		65,301	65,301
Equity adjustment - Public Employees Retirement System		202,760	202,760
Classification adjustments - Department of Financial Institutions		155,696	155,696
Classification adjustments - Department of Corrections and Rehabilitation	748,234		748,234
Total 2007-09	\$8,242,307	\$6,333,955	\$14,576,262
2009-11 biennium			
Equity adjustment - Classified and nonclassified employee salary pool	\$9,000,000	\$6,984,000	\$15,984,000
Salary adjustment - Deputy Treasurer	10,000		10,000
Salary adjustment - Attorney General (effective January 1, 2011)	10,100		10,100
Equity adjustments - Legislative Council	50,000		50,000
Recruitment and retention bonuses - Industrial Commission Department of Mineral Resources (nonclassified employees)	185,000		185,000
Salary increase - Branch research centers (irrigation scientist position at the Williston Research Center)	65,000		65,000
Total 2009-11	\$9,320,100	\$6,984,000	\$16,304,100

Salaries of Elected Officials

The Legislative Council staff said pursuant to Section 54-44.3-20, state elected officials are exempt from the classification system. Salaries for state elected officials are determined by legislative action. The salary and powers and duties of each elected official are provided for in each official's respective chapter of the North Dakota Century Code. North Dakota's state elected officials and their respective chapter of Century Code include:

- Agriculture Commissioner - Chapter 4-01.
- Attorney General - Chapter 54-12.
- State Auditor - Chapter 54-10.
- Governor - Chapter 54-07.
- Insurance Commissioner - Chapter 26.1-01.
- Public Service Commissioners - Chapters 49-01 and 49-02.
- Secretary of State - Chapter 54-09.
- Tax Commissioner - Chapter 57-01.
- State Treasurer - Chapter 54-11.
- Judicial branch - Chapters 27-02 and 27-05.

The Legislative Council staff reviewed previous legislative studies and related legislation regarding the classified state employee compensation system and salaries of state elected officials.

Proposed Study Plan

The Legislative Council staff presented the following proposed study plan for the committee's consideration:

1. Receive and review information regarding the classified state employee compensation system, including pay grades and classification system and the history of development and changes to the system.

2. Receive and review information regarding 2009-11 biennium salary equity pool allocations.
3. Receive and review information regarding salaries of state elected officials.
4. Receive and review information regarding the number of full-time equivalent and temporary employees supervised by the elected official, and the complexity of each elected official's responsibilities.
5. Receive and review information from other states regarding similar state employee and elected official positions.
6. Receive testimony from other interested persons regarding the committee's study of the classified state employee compensation system and salaries of state elected officials.
7. Develop recommendations and any bill drafts necessary to implement the recommendations.
8. Prepare a final report for submission to the Legislative Council.

At the request of Chairman Svedjan, the Legislative Council staff presented a memorandum entitled [History of Elected Officials' Salary Increases](#) relating to salary increases and other salary adjustments for elected officials which were authorized by the Legislative Assembly for the 1997-99 through 2009-11 bienniums.

Ms. Pam Sharp, Director, Office of Management and Budget, presented information on the 2009-11 biennium salary equity pool allocations. A copy of the information presented is on file in the Legislative Council office. She said the salary equity pool approved by the 2009 Legislative Assembly totaled \$15,984,000, of which \$9 million is from the general fund and \$6.984 million is from other funds. She said

the legislative appropriation for the equity pool was approximately \$8 million less than the executive recommendation. The reduction consisted of \$5 million from the general fund and \$3 million of other funds. She said the Office of Management and Budget's equity distribution to agencies was based on a review of occupation and market disparities, economic growth, internal pay equity, and recruitment and retention issues.

In response to a question from Representative Weiler, Ms. Sharp said the 2009 Legislative Assembly provided that the July 2009 5 percent salary increase be applied before equity increases are applied. She said the 5 percent salary increases were not intended to be "across the board" but were to be based on documented performance and equity.

In response to a question from Representative Bellew, Ms. Laurie Sterioti Hammeren, Director, Human Resource Management Services, said a state agency that operates under a merit system of personnel administration is included in the classification system. She said the merit system of personnel administration refers to human resource practices and not merit pay practices.

In response to a question from Representative Nathe, Ms. Sharp said the Office of Management and Budget determines the state employee salary increase percentage to include in executive recommendations by reviewing current salaries, available funding, and current market factors.

In response to a question from Representative Nathe, Ms. Sharp said North Dakota state employee salaries may move closer to market values if the economic status in other states continues to decline. She said, depending on the job or occupation, market values are determined by the Job Service North Dakota labor market and a 10-state market sample.

Mr. Ken Purdy, Human Resource Management Services, presented information regarding the state employee compensation system, including a history of development and changes to the system. A copy of the information presented is on file in the Legislative Council office. He said the North Dakota class evaluation system was developed in 1982. He said the compensation plan was revised in 1999 and the number of pay grades was reduced from 45 grades incremented by 5 percent to 20 grades incremented by 10 percent. He said the practice of recalculating pay ranges to target the midpoint of a range at 95 percent of market was initiated in 1999.

In response to a question from Representative Svedjan, Mr. Purdy said while Human Resource Management Services does not gather statewide exit interview information, exit interview information may be available from selected state agencies regarding reasons employees leave state employment.

In response to a question from Representative Wieland, Mr. Purdy said health care benefits are a significant factor that state agencies use to recruit new employees.

Mr. Purdy said the Central States Compensation Association survey is in progress and 2009 data will be available at a future committee meeting. He said the association is comprised of 26 states that exchange market data and compensation information. He said market comparisons are made to Job Service North Dakota labor market information for pay grades 1 through 10 and to a 10-state market sample, including the states of Colorado, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, Oklahoma, South Dakota, and Wyoming, for pay grades 11 through 20.

Representative Wieland suggested having other public and private employers present information on compensation issues they have addressed.

Representative Weiler suggested the committee receive information on the total number of full-time and temporary state employees and the populations of the 10 states included in the market comparison for pay grades 11 through 20.

Representative Bellew suggested including a comparison of appointed officials' salaries to elected officials' salaries.

Representative Conrad said when comparing states, it is important to compare the same programs. She said some of North Dakota's programs are administered at the county level in other states.

Representative Bellew requested the committee receive information regarding the compensation systems used by various state agencies, including the Department of Career and Technical Education, Workforce Safety and Insurance, the Highway Patrol, and the Adjutant General.

It was moved by Representative Grande, seconded by Representative Wieland, and carried on a voice vote that the committee approve the following study plan for the study of the classified state employee compensation system and salaries of elected state officials:

- 1. Receive and review detailed information regarding the classified state employee compensation system, including pay grades and classification system, the determination of point values, and the history of development and changes to the system.**
- 2. Receive and review information from selected organizations regarding their compensation system.**
- 3. Receive and review information regarding 2009-11 biennium salary equity pool allocations.**
- 4. Receive and review information from public and private employers regarding compensation issues they have addressed.**
- 5. Receive and review information regarding the Central States Compensation Association survey for 2009.**
- 6. Receive and review information regarding results of exit interviews conducted by selected state agencies.**

7. **Receive and review information regarding salaries of state elected officials and state appointed officials.**
8. **Receive and review information regarding the number of full-time equivalent and temporary employees supervised by the elected official and the complexity of each elected official's responsibilities.**
9. **Receive and review information from other states regarding similar state employee and elected official positions, including the number of full-time and temporary employees and the populations of the states.**
10. **Receive testimony from other interested persons regarding the committee's study of the classified state employee compensation system and salaries of state elected officials.**
11. **Develop recommendations and any bill drafts necessary to implement the recommendations.**
12. **Prepare a final report for submission to the Legislative Council.**

CAPITOL COMPLEX AND STATE FACILITIES STUDY

At the request of Chairman Svedjan, the Legislative Council staff presented a memorandum entitled [Study of the Capitol Complex and State Facilities - Background Memorandum](#) relating to a study of the utilization of all facilities on the State Capitol grounds, including an evaluation of facility needs by state agencies and a review of the Capitol complex master plan. The committee is also to receive reports from the Office of Management and Budget regarding the location, expenses, and square footage requirements of all facilities occupied by each state agency.

Capitol Complex

The Legislative Council staff said the Capitol complex was established in 1883 when two tracts of 160 acres each were deeded to the territory of Dakota from the Northern Pacific Railroad Company. After the first State Capitol was destroyed by fire in 1930, 160 acres were sold to pay for a new building, which was completed in 1934. Additional acreage was sold in 1949 and other acreage is used as easements for water and streets. The current Capitol complex consists of 132 acres. Besides the building, other facilities at the complex include the Heritage Center; the State Office Building; the Governor's residence; the Department of Transportation Building; and the Liberty Memorial Building, which houses the State Library.

Facility Management

The Legislative Council staff said the Facility Management Division of the Office of Management

and Budget is responsible for the overall daily operations and preservation of the State Capitol complex and surrounding 132-acre grounds. In addition, the division is responsible for providing space management services for most state agencies. All new construction, historical preservation and restoration, and extraordinary repairs are prioritized and forecasted for a 10-year period.

The 2009 Legislative Assembly provided a total of \$4,487,000 from the general fund for the following extraordinary repairs during the 2009-11 biennium:

	General Fund
Veterans' memorial repairs	\$187,000
Capitol grounds building repairs	675,000
Capitol grounds parking lot repairs	1,775,000
Capitol restoration	1,200,000
Cooling tower and heat pump replacements	500,000
Exterior Capitol limestone study	150,000
Total	\$4,487,000

Capitol Grounds Planning Commission

The Legislative Council staff said the Capitol Grounds Planning Commission, provided for in Section 48-10-01, advises the director of the Office of Management and Budget and the Legislative Council on matters relating to the physical and aesthetic features of the interior and exterior of all buildings on the Capitol grounds. The commission consists of the Lieutenant Governor as chairman and eight other members, including two citizens, one licensed architect, and one representative from the State Historical Society appointed by the Governor. The President of the Senate appoints two senators as members and the Speaker of the House of Representatives appoints two representatives. In addition to Lt. Governor Jack Dalrymple, current members of the Capitol Grounds Planning Commission include:

- Senator Randel Christmann.
- Senator Robert M. Horne.
- Representative Robert Kilichowski.
- Representative Matthew M. Klein.
- Merl Paaverud, State Historical Society.
- Michael Burns, licensed architect.
- Lisa Carlson, citizen member.
- Doug Prchal, citizen member.

Capitol Building Fund

The Legislative Council staff said the Capitol Grounds Planning Commission administers the Capitol building fund. The Capitol building fund was established at the time of statehood by the Enabling Act of 1889. Section 12 of the Enabling Act provided 50 sections of land to North Dakota upon statehood to be used for the purpose of financing construction of public buildings for legislative, executive, and judicial use. The Capitol building fund is made up of the land, proceeds from the sale of the land, and any investment income from the proceeds. Section 12 of

the Enabling Act was amended by Congress in 1957 to expand the fund's use for construction, reconstruction, repair, renovation, furnishings, equipment, or other permanent improvements of public buildings at the Capitol.

The Legislative Council staff said House Bill No. 1117 (1979) amended Section 48-10-02 to provide that the Board of University and School Lands invest and manage the fund on behalf of the Capitol Grounds Planning Commission.

The Legislative Council staff said the current value of the Capitol building fund's permanent assets is \$1,429,452, of which \$1,329,508 is cash and investments and \$99,944 is land. The Capitol building fund includes 9,994 surface acres.

Proposed Study Plan

The Legislative Council staff presented the following proposed study plan for the committee's consideration:

1. Receive and review information regarding the current utilization of the facilities on the State Capitol grounds.
2. Receive and review information regarding the current Capitol complex master plan.
3. Receive and review information regarding the location, expenses, and square footage of Capitol complex space occupied by each state agency.
4. Receive testimony from other interested persons regarding the committee's study of the Capitol complex and state facilities.
5. Develop recommendations and any bill drafts necessary to implement the recommendations.
6. Prepare a final report for submission to the Legislative Council.

Mr. John Boyle, Director, Facility Management Division, presented information regarding the current utilization of facilities on the State Capitol grounds and the Capitol complex master plan. A copy of the information presented is on file in the Legislative Council office.

Mr. Boyle said the lack of office space in the Capitol building has been a longstanding issue. He said each floor of the Capitol tower was designed to accommodate approximately 32 employees. He said some floors currently accommodate more than 32 employees because the floors have more cubicles than offices. He said the floors in the judicial wing addition, which was completed in 1980, were designed without interior walls and each floor can accommodate from 125 to 150 employees.

Mr. Boyle said the Department of Transportation Building is owned by the Department of Transportation. He said Facility Management charges the department for utilities and janitorial services provided by Facility Management.

In response to a question from Representative Svedjan, Mr. Boyle said Facility Management conducts a space needs analysis each year. He said

he will provide information at the committee's next meeting relating to the most recent analysis. He said options for meeting space needs include leasing additional space outside the Capitol complex or constructing a new building at the complex. He said he will provide information at a future committee meeting regarding space leased by state agencies outside of the Capitol complex.

Representative Potter suggested Facility Management provide information on other states' analyses of their state government space needs.

In response to a question from Representative Rust, Mr. Boyle said he will provide information at the next committee meeting regarding the cost per square foot to maintain state-owned buildings.

In response to a question from Representative Svedjan, Mr. Boyle said the Office of Management and Budget considers the Governor's residence to be satisfactory. He said an emergency generator is being installed and maintenance is being completed this summer. He said the Governor's residence is included in the Capitol complex master plan.

In response to a question from Representative Svedjan, Mr. Boyle said the Capitol complex master plan addresses additional parking spaces and additional security measures, including lighting, for the Capitol.

In response to a question from Senator Nelson, Mr. Boyle said the State Office Building was built in the 1930s and was originally used as a college. He said the State Water Commission is currently housed in the building. He said the master plan identifies this building for future demolition.

It was moved by Representative Grande, seconded by Senator Nelson, and carried on a voice vote that the committee approve the following study plan for the study of the Capitol complex and state facilities:

1. **Receive and review information regarding the current utilization of the facilities on the State Capitol grounds, including designed employee capacity for the Capitol tower and judicial wing floors compared to actual usage.**
2. **Receive and review information on the results of the 2009 space needs analysis.**
3. **Receive and review information regarding the current Capitol complex master plan.**
4. **Receive and review information regarding the location, expenses, and square footage of Capitol complex space occupied by each state agency.**
5. **Receive and review information regarding space leased by state agencies outside the Capitol complex, including the building owners.**
6. **Receive and review information on the cost per square foot to maintain state-owned buildings.**
7. **Receive and review information regarding other states' space needs and solutions.**

8. **Receive testimony from other interested persons regarding the committee's study of the Capitol complex and state facilities.**
9. **Develop recommendations and any bill drafts necessary to implement the recommendations.**
10. **Prepare a final report for submission to the Legislative Council.**

OTHER COMMITTEE RESPONSIBILITIES

At the request of Chairman Svedjan, the Legislative Council staff presented a memorandum entitled [Other Responsibilities of the Government Services Committee - Background Memorandum](#) relating to the committee's other assigned responsibilities of approval of agreements between North Dakota and South Dakota and reports from the Department of Veterans' Affairs and boards of county commissioners regarding county veterans' service officers' accreditation.

The Legislative Council staff presented the following proposed action plan for the committee's consideration relating to its responsibility of approving agreements between North Dakota and South Dakota:

1. Receive any proposed agreement from a state agency to form a bistate authority with an agency of South Dakota.
2. Receive testimony from interested persons on the proposed agreement.
3. Review the proposed agreement regarding costs, effect on services, economic impacts, quality, etc.
4. Approve or disapprove the proposed agreements.
5. Prepare a summary of the committee's study for inclusion in the final report to the Legislative Council.

It was moved by Representative Grande, seconded by Representative Froseth, and carried on a voice vote that the committee approve the proposed action plan for the committee's responsibility of approving agreements between North Dakota and South Dakota.

The Legislative Council staff presented the following proposed action plan for receiving reports regarding county veterans' service officers' accreditation for the committee's consideration:

1. Receive presentations from the Department of Veterans' Affairs regarding the number of county veterans' service officers accredited in accordance with the requirements of Section 37-14-18, the agency or organization through which each officer has been accredited, and accountability reports regarding the use of funds appropriated to the Department of Veterans' Affairs for the purpose of arranging for accreditation training for all county veterans' service officers.
2. Receive written reports from the board of county commissioners from each county

regarding accreditation of county veterans' service officers.

3. Receive testimony from other interested persons.
4. Develop recommendations and any bill drafts necessary to implement the recommendations.
5. Prepare a final report for submission to the Legislative Council.

Representative Grande suggested the commissioner of the Department of Veterans' Affairs be informed of future meetings of the Government Services Committee and that the committee be updated at each meeting regarding county veterans' service officers' accreditation.

Representative Wieland suggested the committee receive information from the Department of Veterans' Affairs and the National Association of County Veterans Service Officers regarding reorganization of the county veterans' service officers in North Dakota, including combining some counties' officers.

Representative Karls suggested receiving information from the military assistance program regarding services provided to veterans.

Representative Froseth requested a listing of all county veterans' service officers, their salaries, and counties that share a service officer.

It was moved by Representative Grande, seconded by Representative Wieland, and carried on a voice vote that the committee approve the following action plan relating to the committee's responsibility of receiving reports from the Department of Veterans' Affairs and boards of county commissioners relating to county veterans' service officers' accreditation:

1. Receive presentations from the Department of Veterans' Affairs regarding the number of county veterans' service officers accredited in accordance with the requirements of Section 37-14-18, the agency or organization through which each officer has been accredited, and accountability reports regarding the use of funds appropriated to the Department of Veterans' Affairs for the purpose of arranging for accreditation training for all county veterans' service officers.
2. Receive a listing of all county veterans' service officers, their salaries, and counties that share a service officer.
3. Receive and review information regarding the military assistance program.
4. Receive presentations by representatives of the Department of Veterans' Affairs and the National Association of County Veterans Service Officers regarding a plan to provide for regionalization of county veterans' service officers in North Dakota.
5. Receive written reports from the board of county commissioners from each county

- regarding accreditation of county veterans' service officers.
6. Receive testimony from other interested persons.
 7. Develop recommendations and any bill drafts necessary to implement the recommendations.
 8. Prepare a final report for submission to the Legislative Council.

COMMITTEE DISCUSSION AND STAFF DIRECTIVES

Chairman Svedjan said the next meeting of the Government Services Committee will be October 27, 2009.

It was moved by Representative Bellew, seconded by Representative Wieland, and carried on a voice vote that the committee adjourn subject to the call of the chair.

The meeting adjourned at 4:45 p.m.

Becky Keller
Senior Fiscal Analyst

Allen H. Knudson
Legislative Budget Analyst and Auditor

ATTACH: 1