

**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.