

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2023

2005 SENATE APPROPRIATIONS

SB 2023


2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2023

Senate Appropriations Committee

☐ Conference Committee

Hearing Date 01/12/05

Tape Number	Side A	Side B	Meter #
1	✓	✓	
2	✓		354
Committee Clerk Signature 			

Minutes: **Chairman Holmberg** opened the meeting on SB 2023. Attendance was taken, all members were present and accounted for.

Sheila Peterson, OMB appeared to provide an outline of the day's testimony.

Karlene Fine, Executive Director and Secretary of Industrial Commission of North Dakota appeared to provide information on how the Building Authority works and on the statutory limitation for General Fund debt service expenditures of SB 2023. (130) Ms. Fine provided the committee with written testimony, (see attached appendix I). Questions and responses were given regarding the general fund and interest.

John Boyle, Director OMB Facility Management Division appeared to testify on the fire suppression system for the Capitol. (766) Mr. Boyle provided the committee with written testimony, (see appendix II). Mr. Boyle spoke of three main topics, they include the justifications of this project, the approval of this project by Budget Section to the capital improvement planning revolving fund, and some safety procedures already implemented by the Office of

Management and Budget. Mr. Boyle indicated that the total amount of time to finish the project would be 18 months. Questions were asked of Mr. Boyle regarding why some of the Capitol will not have sprinklers installed and what agency decided to put sprinklers in the first place. Mr. Boyle indicated that the Department of Homeland Security did not order the fire suppression system, he also indicated that because of insufficient funds only a portion of the Capitol will have a fire suppression system installed.

Kathy Roll, Financial Administrator, Office of the Attorney General appeared in support of SB 2023. (1938) Ms. Roll provided the committee with written testimony, (see appendix III). Ms. Roll also gave an overview of the Crime Laboratory Facility. She stated that since the master plan was formulated in June 2000 to remodel and add space at the state's lab facility the plan fails to address several critical issues. Ms. Roll offered the committee a tour to see the facility and its inadequacies. Questions were asked regarding a possible joining with South Dakota and their crime lab facility or having them come to North Dakota. **Hope Olson, Director of the Crime Lab** stated that this would not be feasible due to numerous reasons mainly because both SD and ND do not have the same laws ruling their crime lab facilities.

Nora Glatt, University Systems Office appeared to offer support and background to SB 2023. (2563) Ms. Glatt provided the committee with written testimony, see appendix IV).

No questions were asked of Ms. Glatt.

Bruce Fronz, NDSU appeared in support of SB 2023. (2873) Mr. Fronz supplied the committee with a booklet of pictures of chemical waste areas and NDSU. Mr. Fronz noted that they have been given citations by both the Agricultural Department and FAA. Mr. Fronz is promoting a central receiving and shipping area to be built on the NDSU campus. Questions were asked

regarding the management of this facility and the possible new one, whether the citations and the pictures shown were not part of mismanagement of the facility. Mr. Fronz stated that it was not and he would also employ another person for the management of the new central receiving and shipping area. Questions were also asked regarding the funding of this new facility. Mr. Fronz stated that the funding would not come from private firms because no one firm has much invested in the new facility.

Sen. Thane (4346): "Were do you dispose of the hazardous material."

Mr. Fronz: "It goes to Tennessee for disposal."

Sen. Kilzer: (4679) "Do you co-op with hospitals or others to dispose of these chemicals?"

Mr. Fronz: "Yes, to a certain extent, through Vet Science's incinerator."

Mike Craik, NDSC appeared in support of SB 2023. Mr. Craik provided the committee with written testimony, (see appendix VI). Mr. Craik's testimony outlines the proposed scope of work associated with NDSCS's plan to replace its outdated electrical distribution system as well as implement an improved emergency power generation system to meet life safety code. The project will be split into four phases; Phase I was completed in 2002. The current system is between 40-50 years old. Mr. Craik also noted to the committee that NDSCS is a customer of WAPA Power, and that it is cheaper to use WAPA, although they must maintain their own electrical systems.

Elvin Binstock, Dickinson State University appeared in support of SB 2023. Mr. Binstock provided the committee with written testimony regarding the renovation of Murphy Hall. Mr. Binstock indicated that they are currently in phase II of the master plan.

Ken Schulz, CFO of the ND State Hospital and ND Developmental Center of the

Department of Human Services appeared to provide information concerning needed repairs that are included in SB 2023. Mr. Schulz provided the committee with written testimony, (see appendix VIII). Mr. Schulz informed the committee of the vast improvements the State Hospital and the Development center need to their buildings. Questions were asked regarding the state of the roofs of both buildings and the frequency they need to be maintained. Mr. Schulz indicated that although they are using a new rubber roof, they will still need to be maintained or redone every 15-20 years.

Dave Krabbenhoft, Director of Finance and Administration, DOCR appeared to offer information regarding SB 2023. Mr. Krabbenhoft provided written testimony, (see appendix IX). Mr. Krabbenhoft indicated to the committee that numerous building improvements are needed at the James River Correctional Center and Missouri River Correctional Center.

Jay Fischer, North Central Research Extension Center, NDSU appeared to in support of SB 2023. Mr. Fischer provided the committee with a video and written testimony, (see appendix X). Questions and responses were given regarding funds for the proposed new building.

Ken Grafton, Director, North Dakota Agricultural Experiment Station appeared to give an overview and ask for funding of SB 2023. Mr. Grafton provided written testimony. Mr. Grafton indicated to the committee that it is asking for phase one, or 9 million. 4 million coming from state and 5 million coming from other entities. This would provide for the construction of a greenhouse facility as this is critical to remaining at the forefront of agronomic, genetic, pathological, and entomological research. Questions were asked regarding the phase I whether or not it would be I or IA, Mr. Grafton indicated that it would be I.

Merl Paaverud, Director of the State Historical Society of North Dakota appeared to present information about the expansion of the Chateau de Mores Interpretive Center located of de Mores State Historical site. Mr. Paaverud provided the committee with written testimony, (see appendix XII). Questions were asked again of Sheila Peterson regarding inconsistencies in the bill. Sheila Clarified these inconsistencies.

Doug Prchal, Director of North Dakota Parks and Recreation appeared in support of the capital project, Turtle River State Park visitor service/office building, included in SB 2023. Mr. Prchal provided the committee with written testimony, (see attached appendix XIII).

Sen. Mathern (5670): "What has the usage been over the past 5 years?"

Mr. Prchal: "It has been increasing."

Sen. Tallackson stated to the committee that many improvements have been made and he feels that it will bring in more tourism to the NE part of ND. Questions were asked regarding the flood plan. Mr. Prchal stated that the old farm house now serving as the office building will be torn down because of its location to the flood plane.

Kim Christiannson, Energy Program Manager, ND Dept. Of Commerce/Division of Community Services appeared in support of energy efficiency projects at the University of ND included in SB 2023.

Sen. Andrist: (152) "This question is for Sheila, if we do not depart from our traditional practice of beginning the payments at the time instead of delaying the principal payments how much would be shaved off?"

Sheila Peterson: "2/3 would be shaved off the total."

Chairman Holmberg closed meeting on SB 2013.

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2023

Senate Appropriations Committee

☐ Conference Committee

Hearing Date January 24, 2005

Tape Number	Side A	Side B	Meter #
2	a		5220- END
		b	1-295
Committee Clerk Signature			

Minutes: SUB COMMITTEE PRE-DISCUSSION

Senator Holmberg opened sub committee pre discussion on **SB 2023**, capital projects.

Sub Committee members include **Senator Kringstad, Senator Grindberg, Senator Krauter.**

Senator Andrist expressed concern is that UND wants to build and it is not funded, not in the bond program, and they end up having the foundation pay for it and the University leases back the building. This appears to be a back door way of getting the building funded. There should be some regulations if the foundation pays for construction and it should be a gift, not to be paid back. I question the size and scope of the hazardous waste project. I question 3.5 million to deal with this two years from now. I feel the same about the crime lab structure. It has a pretty high square footage cost. The state architect thought it is pretty costly also.

Senator Thane. I question the material storage facility. The money to construct is questionable, 3.5 million seems inflated to me. The electrical distribution is long overdue. This needs to be upgraded.

Senator Robinson, for the advice of the committee. I am not opposed to it, but we need some further discussion on the corrections improvements. In the scope of the big picture, are we doing the right thing, does it fit in with our plan, are we on the right road. We need to do something, but we need to ask questions as to the right time, the right project, right amount of money.

Senator Grindberg. Re: the statutory changes of 1989, prior to Governor Schafer, a certain amount of money was set aside for capital improvement repair projects. Due to legislative action in 1993, that fund went away. Perhaps exploring some type of mechanism to get this back to some fund that we are not bonding for 100 thousand here or 300 thousand there. Maybe this could be handled through a special fund for repairs.

Senator Robinson. As an amendment to Senator Grindberg's comment regarding the State College of Science. Their situation is representative of the greater ongoing problem we have. The issue of deferred maintenance comes through loud and clear. We haven't been positioned to provide funding to deal with some of these problems. This is a pressing issue and need to talk with facility service managers about the pool of money and what they can't do. This is a pressing issue.

Senator Bowman. In the long term, until we get caught up with maintenance, maybe we should only allow 1/2 of the bonding projects and the other 1/2 that could have been bonded should go into maintenance. How far in debt do we want to put ourselves, because we are continuing to escalate the problem by not taking care of the maintenance of the buildings we already own. It's not good management to neglect maintenance.

Senator Thane. We have some of the best and brightest brains and this has been going on for thirty years and the neglect in maintenance has cost far more the actual maintenance would cost.

Perhaps during the next two years, they could come up with a plan to fix the problem once and for all.

Senator Mathern. We need to recognize the context of people giving money for new programs.

It is pretty hard for a donor from California getting excited about repairing a roof vs. Building a new building, or even a federal initiative. Need to be aware interest rates are low, we need to take advantage of that. Perhaps can discipline selves to establish fund that Senator Grindberg talked about.

Subcommittee hearing closed.

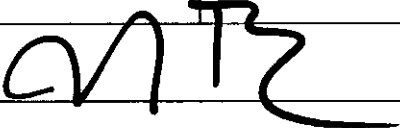
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2023

Senate Appropriations Committee

☐ Conference Committee

Hearing Date 02/14/05

Tape Number	Side A	Side B	Meter #
3	x		4,071-5660
Committee Clerk Signature 			

Minutes: **Chairman Holmberg** opened discussion on SB 2023.

Sen. Kringstad proposed and explained amendment. Sen. Kringstad stated that in the amendment, the money will be reduced from 2, 500,000 to 2 million in bonding. The amendment also called for a LC study on maintenance and structure. A voice vote was taken for the amendment, it carried.

Sen. Andrist (5116) Sprinkler system on the Legislative wing would cause more damage than any fire would.

Sen. Kringstad: The fire suppression system would be in the tower.

Sen. Krauter We were able to add the Heritage Center, by putting that study in there, we have a potential bigger issue out there.

A **DO PASS AS AMENDED** motion was made by Sen. Krauter, seconded by Sen. Robinson.

Vote was taken, bill carried 13 to 0, with 2 absent and not voting. Sen. Kringstad will carry the bill.

PROPOSED AMENDMENTS TO SENATE BILL NO. 2023

Page 1, line 4, after "projects" insert "; to provide for a legislative council study"

Page 1, line 19, replace "3,632,691" with "3,500,000"

Page 1, line 20, replace "3,500,000" with "3,300,000"

Page 1, after line 23, insert:

"Minot state university - Bottineau thatcher hall addition 2,500,000"

Page 1, remove line 24

Page 2, remove lines 1 through 3

Page 2, remove lines 8 and 9

Page 2, after line 10, insert:

"Central grasslands research extension center office addition 350,000"

Page 2, line 11, replace "4,500,000" with "2,000,000"

Page 2, after line 12, insert:

"Historical society and heritage center research collections expansion 5,500,000"

Page 2, line 14, replace "25,555,758" with "28,595,557"

Page 2, line 15, after "federal" insert "and other"

Page 2, line 17, replace "\$880,000" with "\$1,250,000"

Page 2, line 18, after "federal" insert "acts, private grants, gifts and donations,"

Page 2, after line 19, insert:

"The main research center may obtain and utilize federal funds and other funds to assist in the construction of a greenhouse complex at the main research center. There is appropriated to the main research center the sum of \$5,000,000, or so much of the sum as may be necessary, from any federal acts, private grants, gifts and donations, or other funds that may become available for this project for the biennium beginning the effective date of this Act and ending June 30, 2007."

Page 2, after line 24, insert:

"The state historical society may obtain and utilize federal or other funds to assist in the heritage center research collections expansion. There is appropriated to the state historical society the sum of \$200,000, or so much of the sum as may be

necessary, from any federal or other funds that may become available for this project for the biennium beginning the effective date of this Act and ending June 30, 2007."

Page 2, line 30, replace "27,285,758" with "35,895,557"

Page 3, line 3, replace "\$2,800,000" with "\$300,000"

Page 3, remove line 6

Page 3, after line 22, insert:

"SECTION 4. LEGISLATIVE COUNCIL STUDY - DEFERRED MAINTENANCE - INFRASTRUCTURE - HERITAGE CENTER. The legislative council shall consider studying during the 2005-06 interim deferred maintenance and infrastructure for all state agencies and institutions and compile a list of all the deferred maintenance and long-term infrastructure needs. This study shall include the long-term needs of the North Dakota heritage center. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixtieth legislative assembly."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2023 - Summary of Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Office of Management and Budget			
Total all funds	\$3,155,000	\$0	\$3,155,000
Less estimated income	<u>3,155,000</u>		<u>3,155,000</u>
General fund	\$0	\$0	\$0
Attorney General			
Total all funds	\$3,632,691	(\$132,691)	\$3,500,000
Less estimated income	<u>3,632,691</u>	<u>(132,691)</u>	<u>3,500,000</u>
General fund	\$0	\$0	\$0
University of North Dakota			
Total all funds	\$2,331,554	\$0	\$2,331,554
Less estimated income	<u>2,331,554</u>		<u>2,331,554</u>
General fund	\$0	\$0	\$0
North Dakota State University			
Total all funds	\$3,500,000	(\$200,000)	\$3,300,000
Less estimated income	<u>3,500,000</u>	<u>(200,000)</u>	<u>3,300,000</u>
General fund	\$0	\$0	\$0
State College of Science			
Total all funds	\$736,000	\$0	\$736,000
Less estimated income	<u>736,000</u>		<u>736,000</u>
General fund	\$0	\$0	\$0
Dickinson State University			
Total all funds	\$4,100,557	\$0	\$4,100,557
Less estimated income	<u>4,100,557</u>		<u>4,100,557</u>
General fund	\$0	\$0	\$0
Minot State University - Bottineau			
Total all funds	\$0	\$2,500,000	\$2,500,000
Less estimated income		<u>2,500,000</u>	<u>2,500,000</u>
General fund	\$0	\$0	\$0
Department of Human Services			
Total all funds	\$455,000	(\$455,000)	\$0
Less estimated income	<u>455,000</u>	<u>(455,000)</u>	
General fund	\$0	\$0	\$0
Department of Corrections and Rehabilitation			
Total all funds	\$3,586,510	(\$2,022,510)	\$1,564,000
Less estimated income	<u>3,586,510</u>	<u>(2,022,510)</u>	<u>1,564,000</u>
General fund	\$0	\$0	\$0
Branch Research Centers			
Total all funds	\$1,320,000	\$720,000	\$2,040,000

Less estimated income	<u>1,320,000</u>	<u>720,000</u>	<u>2,040,000</u>
General fund	\$0	\$0	\$0
Main Research Station			
Total all funds	\$4,500,000	\$2,500,000	\$7,000,000
Less estimated income	<u>4,500,000</u>	<u>2,500,000</u>	<u>7,000,000</u>
General fund	\$0	\$0	\$0
State Historical Society			
Total all funds	\$1,600,000	\$5,700,000	\$7,300,000
Less estimated income	<u>1,600,000</u>	<u>5,700,000</u>	<u>7,300,000</u>
General fund	\$0	\$0	\$0
Parks and Recreation			
Department			
Total all funds	\$700,000	\$0	\$700,000
Less estimated income	<u>700,000</u>		<u>700,000</u>
General fund	\$0	\$0	\$0
Bill Total			
Total all funds	\$29,617,312	\$8,609,799	\$38,227,111
Less estimated income	<u>29,617,312</u>	<u>8,609,799</u>	<u>38,227,111</u>
General fund	\$0	\$0	\$0

Senate Bill No. 2023 - Attorney General - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Capital assets	<u>\$3,632,691</u>	<u>(\$132,691)</u>	<u>\$3,500,000</u>
Total all funds	\$3,632,691	(\$132,691)	\$3,500,000
Less estimated income	<u>3,632,691</u>	<u>(132,691)</u>	<u>3,500,000</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

Dept. 125 - Attorney General - Detail of Senate Changes

	REDUCES FUNDING FOR CRIME LAB ADDITION AND RENOVATION	TOTAL SENATE CHANGES
Capital assets	<u>(\$132,691)</u>	<u>(\$132,691)</u>
Total all funds	(\$132,691)	(\$132,691)
Less estimated income	<u>(132,691)</u>	<u>(132,691)</u>
General fund	\$0	\$0
FTE	0.00	0.00

Senate Bill No. 2023 - North Dakota State University - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Capital assets	<u>\$3,500,000</u>	<u>(\$200,000)</u>	<u>\$3,300,000</u>
Total all funds	\$3,500,000	(\$200,000)	\$3,300,000
Less estimated income	<u>3,500,000</u>	<u>(200,000)</u>	<u>3,300,000</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

Dept. 235 - North Dakota State University - Detail of Senate Changes

	REDUCES FUNDING FOR HAZARDOUS MATERIAL HANDLING AND STORAGE FACILITY	TOTAL SENATE CHANGES
Capital assets	<u>(\$200,000)</u>	<u>(\$200,000)</u>
Total all funds	(\$200,000)	(\$200,000)
Less estimated income	<u>(200,000)</u>	<u>(200,000)</u>
General fund	\$0	\$0
FTE	0.00	0.00

Senate Bill No. 2023 - Minot State University - Bottineau - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Capital assets		<u>\$2,500,000</u>	<u>\$2,500,000</u>
Total all funds	\$0	\$2,500,000	\$2,500,000
Less estimated income		<u>2,500,000</u>	<u>2,500,000</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

Dept. 243 - Minot State University - Bottineau - Detail of Senate Changes

	PROVIDES FUNDING FOR THATCHER HALL ADDITION	TOTAL SENATE CHANGES
Capital assets	<u>\$2,500,000</u>	<u>\$2,500,000</u>
Total all funds	\$2,500,000	\$2,500,000
Less estimated income	<u>2,500,000</u>	<u>2,500,000</u>
General fund	\$0	\$0
FTE	0.00	0.00

Senate Bill No. 2023 - Department of Human Services - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Capital assets	<u>\$455,000</u>	<u>(\$455,000)</u>	
Total all funds	\$455,000	(\$455,000)	\$0
Less estimated income	<u>455,000</u>	<u>(455,000)</u>	
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

Dept. 325 - Department of Human Services - Detail of Senate Changes

	REMOVES FUNDING FOR DEVELOPMENTAL CENTER PROJECTS	REMOVES FUNDING FOR STATE HOSPITAL PROJECTS	TOTAL SENATE CHANGES
Capital assets	<u>(\$240,000)</u>	<u>(\$215,000)</u>	<u>(\$455,000)</u>
Total all funds	(\$240,000)	(\$215,000)	(\$455,000)
Less estimated income	<u>(240,000)</u>	<u>(215,000)</u>	<u>(455,000)</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

Senate Bill No. 2023 - Department of Corrections and Rehabilitation - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Capital assets	<u>\$3,586,510</u>	<u>(\$2,022,510)</u>	<u>\$1,564,000</u>
Total all funds	\$3,586,510	(\$2,022,510)	\$1,564,000
Less estimated income	<u>3,586,510</u>	<u>(2,022,510)</u>	<u>1,564,000</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

Dept. 530 - Department of Corrections and Rehabilitation - Detail of Senate Changes

	REMOVES FUNDING FOR MISSOURI RIVER CORRECTIONAL CENTER MULTIPURPOSE BUILDING	SENATE CHANGES
Capital assets	<u>(2,022,510)</u>	<u>(\$2,022,510)</u>
Total all funds	<u>(\$2,022,510)</u>	<u>(\$2,022,510)</u>
Less estimated income	<u>(2,022,510)</u>	<u>2,022,510</u>
General fund	\$0	\$0
FTE	0.00	0.00

Senate Bill No. 2023 - Branch Research Centers - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Capital assets	<u>\$1,320,000</u>	<u>\$207,000</u>	<u>\$2,040,000</u>
Total all funds	<u>\$1,320,000</u>	<u>\$720,000</u>	<u>\$2,040,000</u>
Less estimated income	<u>1,320,000</u>	<u>720,000</u>	<u>2,040,000</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

Dept. 628 - Branch Research Centers - Detail of Senate Changes

	PROVIDES FUNDING FOR CENTRAL GRASSLANDS RESEARCH EXTENSION CENTER OFFICE ADDITION	PROVIDES ADDITIONAL OTHER FUNDS AUTHORITY TO NORTH CENTRAL RESEARCH EXTENSION CENTER 1	TOTAL SENATE CHANGES
Capital assets	<u>\$350,000</u>	<u>\$370,000</u>	<u>\$720,000</u>
Total all funds	<u>\$350,000</u>	<u>\$370,000</u>	<u>\$720,000</u>
Less estimated income	<u>350,000</u>	<u>370,000</u>	<u>720,000</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

¹ This amendment adds \$370,000 of federal and other funds authority to North Central Research Center for a total of \$1,250,000 federal and other funds authority for the construction of the agronomy laboratory. The additional \$370,000 results in a total project authorization of \$1,690,000 including the bonding authorization of \$440,000.

Senate Bill No. 2023 - Main Research Station - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Capital assets	<u>\$4,500,000</u>	<u>\$2,500,000</u>	<u>\$7,000,000</u>
Total all funds	<u>\$4,500,000</u>	<u>\$2,500,000</u>	<u>\$7,000,000</u>
Less estimated income	<u>4,500,000</u>	<u>2,500,000</u>	<u>7,000,000</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

Dept. 640 - Main Research Station - Detail of Senate Changes

	PROVIDES ADDITIONAL OTHER FUNDS AUTHORITY FOR THE GREENHOUSE COMPLEX 1	TOTAL SENATE CHANGES
Capital assets	<u>\$2,500,000</u>	<u>\$2,500,000</u>
Total all funds	<u>\$2,500,000</u>	<u>\$2,500,000</u>

Less estimated income	<u>2,500,000</u>	<u>2,500,000</u>
General fund	\$0	\$0
FTE	0.00	0.00

1 This amendment increases the federal and other funds authority for the Main Research Center greenhouse complex from \$2.5 million to \$5 million, resulting in a total project authorization of \$7 million including the bonding authorization of \$2 million.

Senate Bill No. 2023 - State Historical Society - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Capital assets	<u>\$1,600,000</u>	<u>\$5,700,000</u>	<u>\$7,300,000</u>
Total all funds	\$1,600,000	\$5,700,000	\$7,300,000
Less estimated income	<u>1,600,000</u>	<u>5,700,000</u>	<u>7,300,000</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

Dept. 701 - State Historical Society - Detail of Senate Changes

	PROVIDES FUNDING FOR THE HERITAGE CENTER RESEARCH COLLECTIONS EXPANSION PROJECT 1	TOTAL SENATE CHANGES
Capital assets	<u>\$5,700,000</u>	<u>\$5,700,000</u>
Total all funds	\$5,700,000	\$5,700,000
Less estimated income	<u>5,700,000</u>	<u>5,700,000</u>
General fund	\$0	\$0
FTE	0.00	0.00

1 This amendment adds funding of \$5.7 million for the Heritage Center research collections expansion project. The \$5.7 million consists of \$5.5 million of bonding funds and \$200,000 from the Department of Transportation's transportation enhancement fund.

Date 2-14-05
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2023

Senate SENATE APPROPRIATIONS

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken

Do Pass As Amended

Motion Made By

K

Seconded By

Roberson

Senators	Yes	No	Senators	Yes	No
CHAIRMAN HOLMBERG	/		SENATOR KRAUTER	/	
VICE CHAIRMAN BOWMAN	/		SENATOR LINDAAS	/	
VICE CHAIRMAN GRINDBERG	/		SENATOR MATHERN	/	
SENATOR ANDRIST	/		SENATOR ROBINSON	/	
SENATOR CHRISTMANN			SEN. TALLACKSON		
SENATOR FISCHER	/				
SENATOR KILZER	/				
SENATOR KRINGSTAD	/				
SENATOR SCHOBINGER	/				
SENATOR THANE	/				

Total

(Yes)

13

No

0

Absent

2

Floor Assignment

Kringstad

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2023: Appropriations Committee (Sen. Holmberg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2023 was placed on the Sixth order on the calendar.

Page 1, line 4, after "projects" insert "; to provide for a legislative council study"

Page 1, line 19, replace "3,632,691" with "3,500,000"

Page 1, line 20, replace "3,500,000" with "3,300,000"

Page 1, after line 23, insert:
"Minot state university - Bottineau thatcher hall addition 2,500,000"

Page 1, remove line 24

Page 2, remove lines 1 through 3

Page 2, remove lines 8 and 9

Page 2, after line 10, insert:
"Central grasslands research extension center office addition 350,000"

Page 2, line 11, replace "4,500,000" with "2,000,000"

Page 2, after line 12, insert:
"Historical society and heritage center research collections expansion 5,500,000"

Page 2, line 14, replace "25,555,758" with "28,595,557"

Page 2, line 15, after "federal" insert "and other"

Page 2, line 17, replace "\$880,000" with "\$1,250,000"

Page 2, line 18, after "federal" insert "acts, private grants, gifts and donations,"

Page 2, after line 19, insert:

"The main research center may obtain and utilize federal funds and other funds to assist in the construction of a greenhouse complex at the main research center. There is appropriated to the main research center the sum of \$5,000,000, or so much of the sum as may be necessary, from any federal acts, private grants, gifts and donations, or other funds that may become available for this project for the biennium beginning the effective date of this Act and ending June 30, 2007."

Page 2, after line 24, insert:

"The state historical society may obtain and utilize federal or other funds to assist in the heritage center research collections expansion. There is appropriated to the state historical society the sum of \$200,000, or so much of the sum as may be necessary, from any federal or other funds that may become available for this project for the biennium beginning the effective date of this Act and ending June 30, 2007."

Page 2, line 30, replace "27,285,758" with "35,895,557"

Page 3, line 3, replace "\$2,800,000" with "\$300,000"

Page 3, remove line 6

Page 3, after line 22, insert:

"SECTION 4. LEGISLATIVE COUNCIL STUDY - DEFERRED MAINTENANCE - INFRASTRUCTURE - HERITAGE CENTER. The legislative council shall consider studying, during the 2005-06 interim, deferred maintenance and infrastructure for all state agencies and institutions and compile a list of all the deferred maintenance and long-term infrastructure needs. This study must include the long-term needs of the North Dakota heritage center. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixtieth legislative assembly."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2023 - Summary of Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Office of Management and Budget			
Total all funds	\$3,155,000	\$0	\$3,155,000
Less estimated income	<u>3,155,000</u>		<u>3,155,000</u>
General fund	\$0	\$0	\$0
Attorney General			
Total all funds	\$3,632,691	(\$132,691)	\$3,500,000
Less estimated income	<u>3,632,691</u>	<u>(132,691)</u>	<u>3,500,000</u>
General fund	\$0	\$0	\$0
University of North Dakota			
Total all funds	\$2,331,554	\$0	\$2,331,554
Less estimated income	<u>2,331,554</u>		<u>2,331,554</u>
General fund	\$0	\$0	\$0
North Dakota State University			
Total all funds	\$3,500,000	(\$200,000)	\$3,300,000
Less estimated income	<u>3,500,000</u>	<u>(200,000)</u>	<u>3,300,000</u>
General fund	\$0	\$0	\$0
State College of Science			
Total all funds	\$736,000	\$0	\$736,000
Less estimated income	<u>736,000</u>		<u>736,000</u>
General fund	\$0	\$0	\$0
Dickinson State University			
Total all funds	\$4,100,557	\$0	\$4,100,557
Less estimated income	<u>4,100,557</u>		<u>4,100,557</u>
General fund	\$0	\$0	\$0
Minot State University - Bottineau			
Total all funds	\$0	\$2,500,000	\$2,500,000
Less estimated income		<u>2,500,000</u>	<u>2,500,000</u>
General fund	\$0	\$0	\$0
Department of Human Services			
Total all funds	\$455,000	(\$455,000)	\$0
Less estimated income	<u>455,000</u>	<u>(455,000)</u>	
General fund	\$0	\$0	\$0
Department of Corrections and Rehabilitation			
Total all funds	\$3,586,510	(\$2,022,510)	\$1,564,000
Less estimated income	<u>3,586,510</u>	<u>(2,022,510)</u>	<u>1,564,000</u>
General fund	\$0	\$0	\$0
Branch Research Centers			
Total all funds	\$1,320,000	\$720,000	\$2,040,000
Less estimated income	<u>1,320,000</u>	<u>720,000</u>	<u>2,040,000</u>

REPORT OF STANDING COMMITTEE (410)
February 15, 2005 10:58 a.m.

Module No: SR-30-2925
Carrier: Kringstad
Insert LC: 58023.0104 Title: .0200

General fund	\$0	\$0	\$0
Main Research Station			
Total all funds	\$4,500,000	\$2,500,000	\$7,000,000
Less estimated income	<u>4,500,000</u>	<u>2,500,000</u>	<u>7,000,000</u>
General fund	\$0	\$0	\$0
State Historical Society			
Total all funds	\$1,600,000	\$5,700,000	\$7,300,000
Less estimated income	<u>1,600,000</u>	<u>5,700,000</u>	<u>7,300,000</u>
General fund	\$0	\$0	\$0
Parks and Recreation Department			
Total all funds	\$700,000	\$0	\$700,000
Less estimated income	<u>700,000</u>	<u>0</u>	<u>700,000</u>
General fund	\$0	\$0	\$0
Bill Total			
Total all funds	\$29,617,312	\$8,609,799	\$38,227,111
Less estimated income	<u>29,617,312</u>	<u>8,609,799</u>	<u>38,227,111</u>
General fund	\$0	\$0	\$0

Senate Bill No. 2023 - Attorney General - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Capital assets	<u>\$3,632,691</u>	<u>(\$132,691)</u>	<u>\$3,500,000</u>
Total all funds	\$3,632,691	(\$132,691)	\$3,500,000
Less estimated income	<u>3,632,691</u>	<u>(132,691)</u>	<u>3,500,000</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

Dept. 125 - Attorney General - Detail of Senate Changes

	REDUCES FUNDING FOR CRIME LAB ADDITION AND RENOVATION	TOTAL SENATE CHANGES
Capital assets	<u>(\$132,691)</u>	<u>(\$132,691)</u>
Total all funds	(\$132,691)	(\$132,691)
Less estimated income	<u>(132,691)</u>	<u>(132,691)</u>
General fund	\$0	\$0
FTE	0.00	0.00

Senate Bill No. 2023 - North Dakota State University - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Capital assets	<u>\$3,500,000</u>	<u>(\$200,000)</u>	<u>\$3,300,000</u>
Total all funds	\$3,500,000	(\$200,000)	\$3,300,000
Less estimated income	<u>3,500,000</u>	<u>(200,000)</u>	<u>3,300,000</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

Dept. 235 - North Dakota State University - Detail of Senate Changes

	REDUCES FUNDING FOR HAZARDOUS MATERIAL HANDLING AND STORAGE FACILITY	TOTAL SENATE CHANGES
Capital assets	<u>(\$200,000)</u>	<u>(\$200,000)</u>
Total all funds	(\$200,000)	(\$200,000)
Less estimated income	<u>(200,000)</u>	<u>(200,000)</u>
General fund	\$0	\$0
FTE	0.00	0.00

Senate Bill No. 2023 - Minot State University - Bottineau - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Capital assets	_____	<u>\$2,500,000</u>	<u>\$2,500,000</u>
Total all funds	\$0	\$2,500,000	\$2,500,000
Less estimated income	_____	<u>2,500,000</u>	<u>2,500,000</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

Dept. 243 - Minot State University - Bottineau - Detail of Senate Changes

	PROVIDES FUNDING FOR THATCHER HALL ADDITION	TOTAL SENATE CHANGES
Capital assets	<u>\$2,500,000</u>	<u>\$2,500,000</u>
Total all funds	\$2,500,000	\$2,500,000
Less estimated income	<u>2,500,000</u>	<u>2,500,000</u>
General fund	\$0	\$0
FTE	0.00	0.00

Senate Bill No. 2023 - Department of Human Services - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Capital assets	<u>\$455,000</u>	<u>(\$455,000)</u>	_____
Total all funds	\$455,000	(\$455,000)	\$0
Less estimated income	<u>455,000</u>	<u>(455,000)</u>	_____
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

Dept. 325 - Department of Human Services - Detail of Senate Changes

	REMOVES FUNDING FOR DEVELOPMENTAL CENTER	REMOVES FUNDING FOR STATE HOSPITAL	TOTAL SENATE
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REPORT OF STANDING COMMITTEE (410)
February 15, 2005 10:58 a.m.

Module No: SR-30-2925
Carrier: Kringstad
Insert LC: 58023.0104 Title: .0200

	PROJECTS	PROJECTS	CHANGES
Capital assets	<u>(\$240,000)</u>	<u>(\$215,000)</u>	<u>(\$455,000)</u>
Total all funds	<u>(\$240,000)</u>	<u>(\$215,000)</u>	<u>(\$455,000)</u>
Less estimated income	<u>(240,000)</u>	<u>(215,000)</u>	<u>(455,000)</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

Senate Bill No. 2023 - Department of Corrections and Rehabilitation - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Capital assets	<u>\$3,586,510</u>	<u>(\$2,022,510)</u>	<u>\$1,564,000</u>
Total all funds	<u>\$3,586,510</u>	<u>(\$2,022,510)</u>	<u>\$1,564,000</u>
Less estimated income	<u>3,586,510</u>	<u>(2,022,510)</u>	<u>1,564,000</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

Dept. 530 - Department of Corrections and Rehabilitation - Detail of Senate Changes

	REMOVES FUNDING FOR MISSOURI RIVER CORRECTIONAL CENTER MULTIPURPOSE BUILDING	SENATE CHANGES
Capital assets	<u>(2,022,510)</u>	<u>(\$2,022,510)</u>
Total all funds	<u>(\$2,022,510)</u>	<u>(\$2,022,510)</u>
Less estimated income	<u>(2,022,510)</u>	<u>2,022,510</u>
General fund	\$0	\$0
FTE	0.00	0.00

Senate Bill No. 2023 - Branch Research Centers - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Capital assets	<u>\$1,320,000</u>	<u>\$207,000</u>	<u>\$2,040,000</u>
Total all funds	<u>\$1,320,000</u>	<u>\$720,000</u>	<u>\$2,040,000</u>
Less estimated income	<u>1,320,000</u>	<u>720,000</u>	<u>2,040,000</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

Dept. 628 - Branch Research Centers - Detail of Senate Changes

	PROVIDES FUNDING FOR CENTRAL GRASSLANDS RESEARCH EXTENSION CENTER OFFICE ADDITION	PROVIDES ADDITIONAL OTHER FUNDS AUTHORITY TO NORTH CENTRAL RESEARCH EXTENSION CENTER ¹	TOTAL SENATE CHANGES
Capital assets	<u>\$350,000</u>	<u>\$370,000</u>	<u>\$720,000</u>

REPORT OF STANDING COMMITTEE (410)
February 15, 2005 10:58 a.m.

Module No: SR-30-2925
Carrier: Kringstad
Insert LC: 58023.0104 Title: .0200

Total all funds	\$350,000	\$370,000	\$720,000
Less estimated income	<u>350,000</u>	<u>370,000</u>	<u>720,000</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

¹ This amendment adds \$370,000 of federal and other funds authority to North Central Research Center for a total of \$1,250,000 federal and other funds authority for the construction of the agronomy laboratory. The additional \$370,000 results in a total project authorization of \$1,690,000 including the bonding authorization of \$440,000.

Senate Bill No. 2023 - Main Research Station - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Capital assets	<u>\$4,500,000</u>	<u>\$2,500,000</u>	<u>\$7,000,000</u>
Total all funds	\$4,500,000	\$2,500,000	\$7,000,000
Less estimated income	<u>4,500,000</u>	<u>2,500,000</u>	<u>7,000,000</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

Dept. 640 - Main Research Station - Detail of Senate Changes

	PROVIDES ADDITIONAL OTHER FUNDS AUTHORITY FOR THE GREENHOUSE COMPLEX ¹	TOTAL SENATE CHANGES
Capital assets	<u>\$2,500,000</u>	<u>\$2,500,000</u>
Total all funds	\$2,500,000	\$2,500,000
Less estimated income	<u>2,500,000</u>	<u>2,500,000</u>
General fund	\$0	\$0
FTE	0.00	0.00

¹ This amendment increases the federal and other funds authority for the Main Research Center greenhouse complex from \$2.5 million to \$5 million, resulting in a total project authorization of \$7 million including the bonding authorization of \$2 million.

Senate Bill No. 2023 - State Historical Society - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Capital assets	<u>\$1,600,000</u>	<u>\$5,700,000</u>	<u>\$7,300,000</u>
Total all funds	\$1,600,000	\$5,700,000	\$7,300,000
Less estimated income	<u>1,600,000</u>	<u>5,700,000</u>	<u>7,300,000</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

Dept. 701 - State Historical Society - Detail of Senate Changes

	PROVIDES FUNDING FOR THE HERITAGE CENTER RESEARCH COLLECTIONS EXPANSION PROJECT ¹	TOTAL SENATE CHANGES
Capital assets	<u>\$5,700,000</u>	<u>\$5,700,000</u>

REPORT OF STANDING COMMITTEE (410)
February 15, 2005 10:58 a.m.

Module No: SR-30-2925
Carrier: Kringstad
Insert LC: 58023.0104 Title: .0200

Total all funds	\$5,700,000	\$5,700,000
Less estimated income	<u>5,700,000</u>	<u>5,700,000</u>
General fund	\$0	\$0
FTE	0.00	0.00

¹ This amendment adds funding of \$5.7 million for the Heritage Center research collections expansion project. The \$5.7 million consists of \$5.5 million of bonding funds and \$200,000 from the Department of Transportation's transportation enhancement fund.

2005 HOUSE APPROPRIATIONS

SB 2023

*These are excerpts from agency
overview hearing; full set of
minutes available - ask LC librarians*

meter #21.4) **Ms. Glatt** answered that it was all in the general funds. She said she understood there is a comparable program in the Department of Human Services budget. **Rep. Jeff Delzer** commented with regard to Human Services that this is not a required match.

Rep. David Monson asked who benefits from this child care. **Ms. Celeste Kubasta** from OMB answered that this was put in the Board office so it could be designated to students who needed child care. If it had gone to Human Services it would have to follow federal guidelines as to how it is distributed and it would have had to go to only the individuals in need that weren't necessarily students.

Ms. Glatt continued.

2023
With regard to the line item regarding bonding on p. 11, **Rep. Pam Guleson** asked about the bonding bill SB2023. **Ms. Glatt** said that they have asked for bonding for all capital projects. For two of smaller projects, the Governor appropriated general funds and that appropriation is in SB 2003. Several other projects are bonded in SB 2023. A schedule of the capital projects from both bills is attached to the end of the testimony (See p. 19-20).

Ms. Glatt continued her review.

Rep. David Monson commented that she had stated earlier that there should be 80% parity and the 20% equity. He referred to the figures under BSC which indicate a figure a lot higher than 20% for equity. He asked if this means the whole pool is 80/20. (tape #1, side A, meter #27.1)

2023
Ms. Glatt answered the rules apply to the total new dollars that apply to the University System as a whole. No less than 80, no more than 20. Some campuses are further behind their equity benchmark than are others. As a result, they get more of the equity pool. Some campuses didn't get any equity funding because they may be close or at their benchmark already.

ramp like this was built in Fargo recently for \$3 million to \$5 million. **Ms. Glatt** answered that if the project can be done for less, the University System would only bond for the necessary cost.

Rep. David Monson asked about the O'Kelly Hall and the Ireland Lab. **Ms. Glatt** said that O'Kelly Hall and the Ireland Lab are part of the original medical school building before they moved. It's been renovated into a classroom facility. They need the infrastructure replaced. Then UND would step in after that and fund the interior renovation.

Rep. Bob Skarphol asked about the auxiliary funds on pages 5-6 and asked for a report to be brought to the subcommittee hearing regarding the breakdown of the funds used there.

*8B
2023* **Rep. Al Carlson** asked if he could get a total on the bonding. **Ms. Glatt** referred the Committee to p. 20, column 5, which represents the engrossed version of the bonding bill. Column 4 is the

revenue bond authority. **Rep. Al Carlson** asked how the authority on the bonding worked. **Ms.**

Glatt answered that they only bond what is authorized by the legislature. **Rep. Al Carlson** asked if these fall within bonding limits and the criteria established at the state level. **Ms. Glatt** said the revenue bonds do not. Only those projects that have a state obligation, the state bonded projects.

Rep. Al Carlson observed that he thought the legislature had reached its limit as far as bonding capability, but there is \$15.7 million worth of state bonding. **Chairman Svedjan** affirmed. **Ms.**

Glatt said there are other projects in the bonding bill beyond that. She said that Arlene has an updated schedule that is within the current cap. **Rep. Carlson** asked if there were \$97 million worth of bonding in this budget and **Ms. Glatt** said yes if you combined revenue and state bonds.

Rep. Skarphol referred to pp. 5-6 and p. 20, and asked her to identify those that are revenue bonds. **Ms. Glatt** referred the Committee to pp. 19-20 where Column #4 indicates revenue bonds, but the system repays those from their own revenues. Column #5 is state bonding where

there is a state obligation. As she mentioned earlier, when the new money comes in, the first part of that pays for those state projects that have been bonded in the past.

Rep. Bob Skarphol asked about the "Energy Improvement Program," mid-page 19, and whether or not that was a lease situation where the savings pay the lease cost. He asked if she could provide documentation that this is actually happening. **Ms. Glatt** said she was glad he caught that and went on to explain that even though it's called state bonding, and it is because the state issues the bonds, the money to repay that bond will have to come out of the utility savings at UND, out of their current appropriation. She said that's the only one in that column like that.

Rep. Al Carlson asked if there were any IT projects that were bonded. **Ms. Glatt** answered no.

Rep. Mike Timm, Vice Chairman, noted that the projects with revenue bonds have to pay for themselves. With regard to the expensive parking lot, is there a plan which shows how that will be paid off. (meter Tape #1, side A, #51.9) **Ms. Glatt** answered yes. There has to be a revenue stream to pay for it, whether it's parking fees or room fees. She stated that as long as she's been with the system, they have not been in a position where they couldn't pay off the bond.

Rep. Mike Timm, Vice Chairman, asked if revenues to pay the parking bond are behind, do they raise fees. **Ms. Glatt** said the revenues don't always match up, so the campus looks at auxiliary operations as a total operation. Money which comes in for one residence hall might end up getting used in another.

(Tape 1, Side B)

Rep. Francis J. Wald asked about continuing appropriations and **Ms. Glatt** said each campus that appears before the subcommittee will include information about continuing appropriations.

Rep. Wald asked if there were a composite with this information. **Ms. Glatt** said she would provide that.

Rep. Ken Svedjan, Chairman asked Mr. Jim Smith, Legislative Council, about the energy improvements bonds, which are different than a state-issued bond, and whether or not those bonds come under the ceiling that has been set. **Mr. Jim Smith** said he'd have to look at SB 2023 to see how it's worded. He suspects that they do not.

Rep. Ole Aarsvold asked what happens to the funds once the projects were paid off. **Ms. Glatt** said that on the auxiliary operations, using a residence hall as an example, the rent from the rooms will pay the bonds. By the time the bonds are paid off, the facilities are pretty old, so the revenues are invested in renovating the facilities. Same thing applies to parking lots. Over the winter a lot may develop holes, so some of those revenues are used to fix the parking lots. **Rep. Ole Aarsvold** asked if an individual account is ever closed out because there wouldn't be a need to continue. **Ms. Glatt** answered that nothing gets closed unless the operation is shut down. Then moneys would be redistributed to other needed auxiliaries.

Rep. David Monson asked with regard to the Energy Improvement Programs, how they know that they are actually receiving energy cost savings. **Ms. Glatt** answered that there were 2 factors to take into account when estimating savings: consumption changes and price changes. **Rep. Monson** asked if they are actually paying for themselves and **Ms. Glatt** said their experience has been very positive and that information will be provided.

Rep. Bob Skarphol asked if a cost/benefit analysis is done on projects like the parking ramp.

Ms. Glatt said that as UND gets closer to that project, they'll have to come back to the Board of Higher Ed, and get the authority to proceed on that project. At that point, they will sort out all

those details. **Rep. Bob Skarphol** asked if the Board requires that it be funded 100% in theory at the outset. **Ms. Glatt** said the board requires this to be self-funded through a revenue stream.

DR Potts said he'd was involved in a parking lot project. He said that the bonding underwriters require a detailed statement and they examine the source of the revenue for repayment and they also give a bond rating. This backs up what the Board or campus does to make sure these are sound projects. Specific to the parking project, done several years ago, in a different part of the country, 500-700 spaces cost about \$9.45 million dollars. Fifteen hundred spaces or so cost \$20 million. (tape #1, side B, meter #4.3)

Rep. Jeff Delzer warned the subcommittee, who will consider these things, to make sure there is money in hand.

Rep. Al Carlson asked about the 21% figure and where that came from originally. **Ms. Glatt** explained that the roundtable report said that the Higher Ed budget could grow at the same rate of growth as the State's economy. Higher Ed prospers when the State prospers and visa versa. It made no mention of a percentage. The Round Table did put a substantial responsibility on Higher Ed to help stimulate economic growth in the State. The Governor gave the Board a request to prepare a budget and that that budget should be at 21% of the State's budget. This biennium they are not asking 21%, nor have they for a while. It's gone backwards. That's how they arrived at \$28.8 million. When the Governor's budget came out, it was close to the 21% of the State's recurring revenue, but it's actually less than 21% of the State's overall budget. If you consider the first option, the budget before the Committee should increase \$4.5 million. If the budget were to be at 21% of the State's budget next biennium, the budget would have to increase \$30 million.

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2023

House Government Performance Division

☐ Conference Committee

Hearing Date March 8, 2005

Tape Number	Side A	Side B	Meter #
1	X		1-End
		X	1-End
2	X		1-1183
Committee Clerk Signature <i>Stephanie Thomas</i>			

Minutes: **Chair Carlson** opened hearing on SB 2023, relating to provide an appropriation for the state facility energy improvement capitol projects of various state departments and institutions.

John Boyle, Director of Facility Management Division: (SEE WRITTEN TESTIMONY #1)

Kathy Roll, Financial Administrator: (SEE WRITTEN TESTIMONY #2)

Rep. Skarphol: I'm assuming that you have a policy of disposing of unneeded things that you're storing, evidence or whatever. Is that possible, or are we having a problem with storage because of the fact that your required to retain a lot of things?

Kathy: I know that there's evidence that we're required to keep for a very long time, and a lot of that would deal with cases that are unsolved. Sometimes we do send evidence back to the county or city that provided that to us once a case is resolved, but we do store quite a bit of evidence.

Rep. Skarphol: Is there any kind of a technology aid that would be available to help alleviate some of this storage need that we're not aware of that you folks haven't been utilizing, because of costs or anything? That way that might be more cost effective than the building.

Kathy: I guess I'm not certain on that, but I can certainly ask the Crime Lab Director and get back to you.

Chair Carlson: Somewhere along the line you've looked at cost to maintain whenever we build new facilities. I want some idea of what our ongoing costs are going to be for maintenance of those buildings once they're built.

Sheila: That information is in your budget book for each project.

Bruce Frantz, Director of Facilities Management at NDSU: (SEE HANDOUT #3)

Chair Carlson: You made some mention of reductions by the Senate, and what you want reinstated. Would you give me that information again?

Bruce: 200,000 dollars was reduced from the original 3.5 million dollar budget.

Chair Carlson: These numbers are derived how on these projects? How are they getting these estimates?

Sheila, OMB: Some of the projects have the opportunity for revolving funds planning money, where consultants have been able to be brought in and give an analysis of the needs and costs. Others have relied on other states who have built a comfortable ability of what their costs ended up being. It varies where the resources and extent to which preplanning has been done.

Rep. Skarphol: What kind of space are you going to make available if you get this building? What kind of space are you going to vacate and have for other purposes?

Bruce: In a lot of cases, it will be closet space. It would just revert back to dry type storage.

Rep. Skarphol: Can you give me some idea of square footage?

Bruce: The largest single facility is a pesticide storage, and that's around 2,000 square feet.

Then there's miscellaneous spaces all across campus, so in total about 4,000 to 5,000 square feet across campus. The 12,000 that we're looking at for this project is to meet the needs currently, as well as for the future too.

Chair Carlson: Your estimates are based on a similar facility in Iowa?

Bruce: Iowa State University, that's correct.

Rep. Monson: The Senate took out 200,000. What was the rationale behind that?

Bruce: I think it went to other projects.

Rep. Monson: So you called Iowa and this is approximately what their costs were?

Bruce: Correct.

Rep. Monson: It wouldn't be cheaper to do it in ND, because we have cheaper labor or something like that?

Bruce: It could be, but it's going to be a year from now until we actually start construction. With inflation, costs could be going up in the mean time.

Rep. Monson: Is this an underground facility that you're planning?

Bruce: No, it's above ground, and it will be on grade.

Wayne Platt, Fiscal Plant Director at the College in Wahpeton: (SEE WRITTEN TESTIMONY #4)

Chair Carlson: What was done in phase 1?

Wayne: Phase 1 we attacked the direct burial feeders on the north side of the campus.

Rep. Skarphol: Does every campus have a life safety situation which requires generators be available on campus, to provide some level of electrical service?

Wayne: You have to address life safety on a campus. It doesn't necessarily have to be done through emergency generation. In other words, we're not vulnerable on the south side of the campus, because we don't have them generators in yet. You can address it through battery packs, and other means of emergency lighting to get people out.

Rep. Monson: Some of the things you did in phase 1, are they going to have to be redone now when you go onto other parts of this?

Wayne: No, everything has been phased out. We had a global project that was 1.x million dollars, and what we've done is just carved it up then. In other words we attacked the most vulnerable part, which was the conductors. They had to be replaced anyway, so there won't be a penny misplaced. The only inefficiencies with carving a project up like this is the mobilization with contractors, and things like that.

Rep. Monson: The reason I got that impression was because you used the fingers going out, and now your going to a loop.

Wayne: Your right. We are replacing the finger concept, that's are radio feed, and we'll have a loop. The only thing is we won't have the true final inner connectivity of the loop, until the second part is done.

Rep. Skarphol: I'm still somewhat confused about this life safety code requirement. Where does that originate?

Wayne: We take our direction from two things, Risk Management and the State Fire Marshall. So at the State College of Science, every 2 ½ years in our academic buildings and every year in

our residents halls, the State Fire Marshall comes out and does an inspection. It's a life safety code, and it's a standard that we follow.

Rep. Skarphol: The need for the generating capacity. Is there a percentage of usage requirement? Do you have to be able to furnish 25% of typical usage? Why the need for the generating capacity?

Wayne: There is no percentage, there is no requirement. We could attack life safety through that other method with the battery packs, and that. What we do find is that we are vulnerable to the maintenance, and our staff making sure that their tested properly monthly.

Chair Carlson: Where did you get the 736,000 dollar number?

Wayne: We did start the initial phasing and engineering on the project as a global all encompassing project. When the funding was reduced, we had to carve it into phases. So we are using an engineering firm out of Fargo, ND, and it is a current number.

Alvin Binstock, Vice President of Business Affairs at Dickinson State University: (SEE WRITTEN TESTIMONY #5)

Chair Carlson: Was there a fundraising effort on your part? Was there some match originally to this?

Alvin: Originally in phase 1, we had a 250,000 local match. That has been collected, and is on deposit to support the project.

Chair Carlson: For which phase, the first or second?

Alvin: The first phase. The second phase we've committed the asbestos litigation funds, in order to support the abatement of asbestos.

Rep. Skarphol: That amounted to what?

Alvin: The quote that we have is about 145,000 dollars, for the removal of asbestos.

Chair Carlson: These are updated bids on this project?

Alvin: Yes, those are numbers that have been reviewed by our engineering and architectural firm. So, they represent take off and updated numbers.

Ken Grosz, Campus Dean at MSU & Bottineau: (SEE WRITTEN TESTIMONY #6)

Rep. Glassheim: Is this for the new addition, the 2.5 million for new addition?

Ken: Yes, it is.

Rep. Glassheim: What is the 1 million for repair, or are you not repairing?

Ken: No, if we were to bring Old Main, the building that we're replacing, up to usability standard for the next 6 to 10 years, the estimate of doing that would be 1 million dollars.

Chair Carlson: Are you going to tear down Old Main?

Ken: Last February, we had about 7 to 8 public meetings in our community to talk about renovating Old Main versus adding an addition to Thatcher Hall. After getting all that information, our administrative team made a decision that the best thing for students, and for the educational purposes on our campus, was an addition. Having said that, we're interested in working to preserve Old Main, and trying to make some decisions about what other uses that building might be utilized for.

Chair Carlson: Is it on the historical register, or anything?

Ken: It's not on the National Historical Register, however it is on the list that the ND State Historical Society works with. Before any decisions are made in regard to the future of the building, we need to work with them.

Rep. Glassheim: So, the functions of Old Main will be replaced by this addition?

Ken: Exactly.

Rep. Monson: If you don't use it anymore, are you expecting in the future that your going to be back here in front of us asking for money to do something else with Old Main, to restore it? If we do the Thatcher Hall thing, we can say as a state that we don't have to put anymore money into Old Main, that will be your problem?

Ken: That's right. Our campus plan is not to come back for another appropriation to remodel Old Main.

Chair Carlson: I noticed this wasn't in the list of projects originally, this was added in the Senate side, correct?

Ken: That's right. It was fourth on the priority list that was submitted by the Board of Higher Education.

Chair Carlson: Have you got an maintenance number per year, that will be picked up by the new facility?

Ken: It would remain static. By that I mean when Old Main is out of service, if we get our addition, the custodial staff would be placed in the new building.

Rep. Skarphol: How many square feet are you replacing with this?

Ken: We're replacing 16,500 square feet.

Rep. Monson: That's usable space?

Ken: Yes, the useable space in the building is 16,500.

Chair Carlson: Why wasn't this on the list?

Sheila: We did fund the top three priorities on the Higher Education campus list, and essentially ran out of money, bonding capacity at that point in time.

Dave Krabbenhoft, Director of Finance & Administration for Department of Corrections:

(SEE WRITTEN TESTIMONY #7)

Rep. Skarphol: Where's the existing building in relation to what you're proposing?

Dave: This is the existing building with the pie shaped in the middle there. The existing food service building would be off on this side, back over here out to the west.

Rep. Skarphol: It says here, no net increase in operating and maintenance funds as anticipated. Your going to have to explain that if your going to add a 14,000 square foot building.

Dave: We will move all of the kitchen facilities over into the new building. With new construction, the building being as old as it is that we're in right now, we're going to gain a lot of energy efficiencies when we move that new building. We're not going to have to add any staff, and we're not going to have to add any cost to maintain and keep the building up, because we're pretty much going to leave one building and go into another building.

Rep. Skarphol: If your going to utilize the old building for something.

Dave: That would be again just minimal heat. We really wouldn't have to run anything into there. It would be a minimal cost, and we think we could pick that up and not see any additional costs.

Rep. Monson: What would you use it for, just storage and stuff, or what?

Dave: We would be using it for probably storage. If we did have anything where we have some type of programming that we could do in that building. It's a building that we wouldn't want to lose.

Rep. Monson: You said you were going to tear down three buildings. What three buildings would you tear down?

Dave: There's a couple old buildings that look like old cottages, like in the back that are used for cold storage. One of the buildings I believe houses the well. They're buildings like that, old buildings that were built at the time that are in the way of the new construction.

Chair Carlson: Could you tell me if there's any energy programs available, where they would fund your windows, and then they would get it paid back over the difference in saving on the energy costs?

Dave: We're presently doing a program like that at TRCC. I'm not sure if the windows would qualify for that.

Dick Fralich, Physical Plant Director for the Penitentiary: We did research the window issue several years ago. Because it is a security window, it's considerably more money, and we couldn't recover the cost.

Chair Carlson: How did you arrive at these numbers?

Dave: The MRCC building was done through the revolving fund. The other projects were either done by consulting with window suppliers or contractors. They increased the bed space, the pantry remodeled, that was actually bid. We looked at bidding that this time, and it came in too high and we couldn't afford to do that. Building 18A was originally in phase 2, and we had to knock that out because the bids came in too high.

Jay Fisher, Director of the North Central Research Extension Center: (SEE WRITTEN TESTIMONY #8)

Rep. Skarphol: Can you repeat the number of local dollars you've raised again?

Jay: In cash and pledges it's 952,734 dollars.

Chair Carlson: Was there a match required when this was originally discussed?

Jay: We conducted the Capitol Campaign . This has been identified as a need through various interim legislative committees, and there has not really been a match required, but we took it upon ourselves to go forward with this kind of effort to fulfill this need.

Rep. Matthew Klein, District 40: When we looked at this project about 2 years ago and talked about raising funds, we figured if we could reach 500,00 we would really be in the ballpark. Things went exceedingly well, the community is really behind this facility, the needs have been there. It's really one of those that I'm concerned about. We were looking at repairing the elevator, and they were looking at 40,000 dollars to repair that. By the time you start looking at renovating a building built in 1948, it just didn't make much sense.

Chair Carlson: The plan would be to tear the old building down?

Jay: We'd be delighted to tear one or two buildings down at the center if we could.

Rep. Skarphol: Do you realistically think that's going to be a 16,000 dollar increase from over the old building?

Jay: With the addition of a greenhouse, the heating efficiency of course for those is not as good, however the old building is very inefficient and our natural gas bill is exceedingly high with the terrible installation.

Rep. Skarphol: What's the net change in square footage your going to have available? I'm assuming you're going to have a larger facility even more available space.

Jay: Yes. This would be about a 10,000 square foot building, perhaps a 30 by 50 greenhouse. The other building is on multiple floors, but usable space compared to nonusable, there is a difference.

Paul Myron, Director of the NDSU Central Grasslands Research & Extension Center:

(SEE WRITTEN TESTIMONY)

Rep. Skarphol: This one was apparently added in the Senate, is that a correct assumption?

Paul: That is correct.

Rep. Skarphol: Can you give us some idea of the recurring operating and maintenance expenses?

Paul: I would assume that they would be around 2,000 dollars a biennium probably, or maybe 2,500, but that would be an estimate.

Rep. Skarphol: This would be a new facility replacing an existing facility?

Paul: It's an addition to an existing facility, so there would be no removal.

Rep. Skarphol: About how much space?

Paul: 3,000 square feet.

Chair Carlson: These are estimates. Where did this 350,000 dollar number come from?

Paul: This is an estimate that I obtained early on in this process from a private contractor and conversations. We have not employed an architect or gone through any of that process. In conversations with the people at NDSU campus, we were given the figure of between 100 and 150 dollars per square foot for new construction, so we came up with this figure with these estimates.

Ken Grafton, Dean and Director of the ND Ag Experiment Station at NDSU: (SEE WRITTEN TESTIMONY #10)

Chair Carlson: So you would move from where the existing ones are at now? Those would be abandoned or what would be the thought?

Ken: Those facilities are quite useful for certain activities, but not for new state of the art activities. These facilities that we're proposing literally are state of the art facilities that would allow us to continue to add on our ability to do more work on transgenic crops and novel diseases that might come in, such as soybean rust.

Chair Carlson: It's 7 million dollars of which 2 million is going to be bonded, and the rest they have to raise?

Sheila: That is correct, as it came out of the Senate.

Chair Carlson: To break down the 5 million, you already have some of that, right?

Ken: Not at this time.

Chair Carlson: What is the other funds that may become available mean?

Ken: That could be any kind of donation from organizations, including the Federal Government.

Chair Carlson: So realistically, are you going to get this project started in 05/07?

Ken: We're aware of the daunting task of collecting that funding. We feel very comfortable in our efforts to do so. One thing we would be looking at would be some funding streams within the Ag Experiment Station, with collection of money from release of new varieties, and hope that helps sustain it.

Rep. Skarphol: The other funds that may become available. Are you thinking in terms of in kind contributions at all?

Ken: We would hope that these would be pledges, hardened and fast pledges.

Rep. Skarphol: Could you remind us what the original proposal was, how it was structured?

Ken: The original request as we submitted our budget was 4 million dollars in bonding, 5 million dollars in collection of other funds. At one point we were of the opinion that we could utilize some federal money, but as you well know the federal budget is very tight right now.

Rep. Skarphol: Was that the way it was introduced by the Governor, the 4 and the 5?

Ken: That is the way that we submitted the proposal, 4 million dollars and 5. This is phase 1 of what we envisioned to be a 3 phase program in the long run, which probably could cost as much as 20 million dollars.

Rep. Skarphol: Did the Senate take 2 million out of your bonding authority?

Ken: No.

Rep. Skarphol: Will the 7 million dollar facility just be proportionately smaller than the 9 square footage. Is that what you had envisioned?

Ken: That is correct.

Rep. Monson: Would you envision possibly trying to go to some private people to raise your 5 million, or private companies that you could do research?

Ken: That's exactly what we're looking to do. We're looking to identify funding streams wherever they may lie, and that might be companies that we consistently done business with, and have had very close working relationships with.

Merl Paaverud, Director of the State Historical Society: (SEE WRITTEN TESTIMONY #11)

Chair Carlson: Your estimates came from where?

Merl: We have a project manager within our office, and we also work with the OMB project manager.

Chair Carlson: What is the tie between highway funding and remodeling?

Merl: History of transportation, stagecoach, railroad, history, all of that sort of thing that ties in with TE funds.

Chair Carlson: You feel confident that you could raise the foundation money?

Merl: Yes sir, we do.

Rep. Skarphol: The reference in the bill for the 1.1 million, isn't that authorized bonding?

Sheila: That is correct. We would bond for both the state share, and the fundraising. 300,000 of that bond authorization will be paid by the Historical Society, and not the state general fund.

Rep. Monson: So there's 1.1 million to be bonded, and 300,000 of that is local. So in essence we're using state funds of 800,000.

Sheila: Correct.

Rep. Skarphol: This is a climate controlled facility. I can't imagine that there wouldn't be increased operating costs for that type of facility. There has to be somewhat substantial square footage addition.

Merl: It would be 32,000 square feet additional.

Chair Carlson: So your going to heat and cool it, but there would be no additional costs for that?

Merl: What we're trying to do is use the new system to plug into the old system, and try to make that more efficient right now. We have a bunch of heat pumps in the old system that are giving us a lot of problems. We've talked with the facility management about trying to do that, so that we can gain some work.

Rep. Skarphol: So the costs associated with building this include the replacement of your existing heat pumps?

Merl: No, it wouldn't exactly at this point. It would be putting in a new system that could be plugged into the new building over time.

Rep. Monson: The 5.5 million in bonding, and then you have another 300,000. This is another 300,000 dollars for this project, correct?

Merl: That 300,000 would be to replace the payback bonding. So what we'd be doing is raising that again, and plugging it back in. 5.5 million is the total for the project.

Rep. Monson: You've got 1.1 million for the other project that we talked about, and that included 300,000 of special funds. This 5.5 is also going to have another 300,000 tucked in there, so it's 5.2 of state bonding.

Sheila: I think it's 200,000 that would be contributed and raised locally.

Merl: 200,000 we're working on that from TE funds, plus because we housed Te records within our facility, plus we'd have to raise another 100,000 through our foundation, so it would be 300,000.

Rep. Skarphol: The Washburn Interpretive Center, who owns that?

Merl: North Dakota owns that through State Parks, and then it's operated by the foundation up there.

Rep. Skarphol: There is a charge to go all the way through that facility. I'm just wondering what your visitor numbers are, and what analysis you may have done to consider a minimal charge to help offset some of the costs.

Merl: Right now in the Century Code, we are not allowed to charge over there, but we do charge for use of the facilities if there is a room rental or if there is a reception. At this point with 100,000 visitors per year, we could estimate what that would be, but what we've done in the past is looked at providing access to the archives, which should be free, providing access to the area with the store, which should be free, and also providing access to the auditorium and classrooms. If we had to set up access admission to the exhibits area, that would probably cost as much as we would raise.

Rep. Glassheim: I'm unclear about these two 300,000 dollars, I don't see them in the bill, and the 200,000 dollars. I see one 300,000 dollars in section 2, and 200,000 dollars on the top of page three from federal funds, but I don't see the other 300,000.

Merl: We understand it as the 300,000.

Rep. Glassheim: Were you expecting the second 300,000 to be 200,000 from federal sources, plus another 100,000 that you'd be responsible for or 200,000 plus 300,000 for 500,000?

Merl: What we were expecting is 5.5 million dollars in bonding, and then we would have to provide 300,000. 200,000 which would be federal, and then we would raise 100,000 through our foundation.

Dick Klovech: I'm here representing myself. I was a member of a committee that Governor Hoeven appointed three years ago on the 20th anniversary of the Heritage Center, to examine the future needs of the Heritage Center. We came to the conclusion that the Historical Society, through no fault of their own, didn't have a long term plan for what they should be doing. We decided the first thing that needed to be done was to expand the Archives, they were full. So the result of that was the introduction of a bill last session, which failed. I think if you pass this bill,

it's going to give the foundation a moral boost. The foundation is going to find that raising money is going to be a lot simpler. It's something that I think the Heritage Center has demonstrated it needs, and it's imperative that it be in this location. The State Capitol is our headquarters for the state. The biggest thing I think is it's an obligation. It's an obligation on the part of the Legislature to take care of our #1 tourist attraction.

Governor Art Link: I never thought I'd see the day that we do not object to the state going into debt or bonding. It was pay as you go. They never believed in anything that they couldn't pay for. Times have changed, and bonding is as cheap as it will be. I ask that the Legislature take care of the infrastructure. This is necessary for the state to give services. Our children are going to ask what it was like when the immigrants settled the Western plains. Kids want to know their heritage. They need access to that information, they need it for their education. This is the most commendable obligation of the Legislative session. Hurray for good work

Doug Prchal, Director of ND Parks and Recreation: (SEE WRITTEN TESTIMONY #12)

Chair Carlson: Do you have estimates on this building for that 700,000 dollar cost?

Doug: They came from an architect out of Grand Forks who worked with us during the flood recovery in the park.

Rep. Monson: I don't remember which building it was that was totally washed off its foundation. Is that the Woodland Lodge?

Doug: Yes, it was the Woodland Lodge. It is moved up on the hill out of what was determined the 100 year flood plain.

Chair Carlson: What happened to the other projects?

Sheila: Those are in the respected agency budgets, because they would be funded with cash.

Kim Christianson, Energy Program Manager with the ND Department of Commerce:

(SEE WRITTEN TESTIMONY #13)

Chair Carlson: There was something that we did for the Capitol where we did not fund the money, because they were going to be financed by a third party and the savings would be paid to them. Why wouldn't that apply to this?

Sheila: The reason is when you finance it through an outside entity as OMB energy project, there is a cost to doing that. There is a management cost. The University of ND, however, has the staff and the expertise on board currently working for the university where they don't have to contract for that management of the project. So it's actually cheaper to go this direction on their project, and not incur the management administrative costs through the private financing firm.

Chair Carlson: Everything that they're doing would have longer than a 10 year life?

Kim: Yes.

Rep. Monson: I'm assuming then that the operating costs at UND will be decreased proportionately, because of doing these projects if we do bond them?

Kim: The whole idea is that their utility costs are to be lowered essentially by the amount needed to cover the costs of this.

Bonnie Steigert, Executive Director of AIA North Dakota: We would like to go on the record opposing any amendments that might come forward dealing with policy matters related to construction management, public improvement bonding liability, or bidding. Currently these matters are more appropriately being addressed in HB 1260, and that bill is supported by all affected parties including Architects, Engineers, Electrical Contractors, AGC, the Building Trades, and Representatives of the Public Facilities.

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House Government Performance Division

Bill/Resolution Number SB 2023

Hearing Date March 8, 2005

Rep. Glassheim: Is 1260 still alive?

Bonnie: Yes, 1260 has just been passed by the Senate IB&L committee, unanimously do pass, and the studies language that you so beautifully crafted on your side of the hall.

Closed Hearing on SB 2023.

*Govt Performance
2023*

General Discussion

- ☐ Committee on Committees
- ☐ Rules Committee
- ☐ Confirmation Hearings
- ☐ Delayed Bills Committee
- ☒ House Appropriations
- ☐ Senate Appropriations
- ☐ Other

Date March 18, 2005			
Tape Number	Side A	B Side	Meter #
1		X	1390-3556
Committee Clerk Signature <i>Stephen Thomas</i>			

Minutes: **Chair Carlson** opened general discussion on SB 2023, relating to provide an appropriation for state facility energy improvement capitol projects of various state departments and institutions.

Overview of sections. (SEE SB 2023)

Rep. Monson: Is this one for a chemical suppression?

Chair Carlson: No, it's for a water sprinkler.

Rep. Glassheim: What's it in for?

Chair Carlson: 3.1 million dollars.

2023

Lori, OMB: The reason the legislative wing was left out is because of the wood and everything in there. The reason the sprinkler system wasn't put in there was they were looking at other alternatives, because the sprinkling would ruin the wood and decor. I believe they put a water curtain and some other things.

Chair Carlson: What was in the Governor's budget for bonding? What was his total dollar figure?

Roxanne, Legislative Council: In the bill as introduced by the Governor, the total for the bill was \$29,617,312. It has been increased to \$38,227,111. It's been increased approximately 8.6 million.

Rep. Skarphol: How much was the AG's reduced?

Roxanne: 132,691.

Rep. Skarphol: What is section 2 of the bill?

Roxanne: Section 2 of the bill just says that the Historical Society has to find 300,000 of other funds to help repay their bond proceeds. They have to find at least 300,000 total cost of all the bonding.

Rep. Skarphol: What happens if they don't do it?

Roxanne: They will, according to this section.

Closed General Discussion Hearing.

*Govt
Performance
2023*

General Discussion

- ☐ Committee on Committees
- ☐ Rules Committee
- ☐ Confirmation Hearings
- ☐ Delayed Bills Committee
- ☒ House Appropriations
- ☐ Senate Appropriations
- ☐ Other

Date March 22, 2005			
Tape Number	Side A	B Side	Meter #
1	X		1-3000
Committee Clerk Signature <i>Stephanie N Thomas</i>			

Minutes: **Chair Carlson** opened general discussion on SB 2023, relating to provide an appropriation for state facility energy improvement capitol projects of various state departments and institutions.

Karlene Fine: Overview of Building Authority Debt Service. (SEE WRITTEN TESTIMONY)

Chair Carlson: I'm confused with the language in this bill, because there is two different references to the Historical Society, actually there's three of them. One of them is for 500,000 for the Chateau, and then the Historical Society at 200,000 dollars, and then a section 2 that deals with the Historical Society for 300,000 dollars. What are those three?

2073

Karlene: On page 2, lines 26-30, the 500,000 dollars is indicating that the Historical Society can obtain 500,000 dollars in addition to the 1.1 million we're going to bond for the construction of that project. So, the total Chateau project is 1.6. On the top of page 3, is the historical Society's original project there had been discussed about a 6 million dollar project in the original bill. When the Senate was working on this, they said we can't give you 6 million dollars, but we will bond for 5.5 and we'll find 200,000 dollars from another source. So, the total size of the Heritage Center project is actually 5.7, but your only going to bond for 5.5. Section 2, the Historical Society has agreed that they will raise money, a total of 300,000 dollars over the life of the bond issue, to assist with the payment of the debt service. So, we bond for the full project, but they agreed to pay a portion of it back over time.

Chair Carlson: So, we bond for 1.1, and this 300,000 dollars would be for payments?

Karlene: Correct. It's utilized for the retirement of the bonds.

Rep. Monson: So 300,000 in section 2 goes to the Chateau, which is the bond on page 2?

Karlene: Part of part 2, and line 9. Line 9 is the 1.1, and they're going to get an additional federal funds of 500,000, so the whole project is 1.6. Over the life of the bond issue, we'll pay 800,000 of the 1.1 that we borrowed, and they will pay 300,000.

Roxanne, Legislative Council: Overview of handout. (SEE HANDOUT 59626.02)

Rep. Skarphol: If we were to choose not to bond this, but rather to just give them the money, would that jeopardize any of the federal funds, or the matching funds that would be available? Could we do 800,000 rather than 1.1 million?

Karlene: I believe what they need is 300,000 that they intended to raise over the life of the bond issue, and so I don't think they would have sufficient funds to do all the construction right away.

2023

Rep. Skarphol: What is the life of the bond issue?

Karlene: This bond issue has been projected as a 20 year bond issue.

Rep. Skarphol: What is the interest on those bonds annually?

Karlene: For this bond issue, I projected 4.6% interest rate over the life of the issue.

Chair Carlson: What is are total bonds that we have outstanding today, and what's are total?

What are our bond payments when we start the biennium?

Karlene: On the chart for the 05/07 biennium, the total amount of debt service we'll be making is 20,675,422 dollars for projects that are under the cap.

Chair Carlson: Where do they show up in the budget.

Karlene: They show up in the Industrial Commissions budget. You will find under my appropriation there's a line item for lease payments, and that's a total amount there of those projects that are under the cap and those outside the cap.

Rep. Skarphol: In your budget the ConnectND ones are only for the state agencies, right?

Karlene: No. I reflect everybody, because all the payments come back through the Industrial Commission and then dispersed.

Rep. Skarphol: What kind of position are we going to be in two years from now if we do this, get right up against the cap? What kind of room is it going to have?

Karlene: We will have used up all the available debt service, but then because some bonds are paying off, next biennium you will have 1.8 million of debt service available. When we do the building authority you don't pay anything the first biennium, so 05/07 you don't pay anything, and then you start paying in 07/09, so you always have that 2 year delay.

2023

Rep. Skarphol: So, 1.5 million dollars in available debt service buys us about 20 million dollars of bonding ability. Is that what is translates into?

Karlene: Not exactly. What we've done is when we were looking at what current bond rates were, the amount of projects that were worthy of consideration, and how we could fund those projects. What we have done with this financing scenario is bonded for 1 year of the 05/07 biennium, and then make payments the 2nd year of that biennium.

Rep. Skarphol: What would be the net effect if we decided that there's 2 million dollars worth of stuff here that we would rather just pay for and not bond? How would we best utilize that money?

Karlene: If you reduce the number of the projects, we would just bond for less.

Rep. Skarphol: If we bonded for 2 million dollars, would that give us 20 million in additional bonding capability if there were a need?

Karlene: Not necessarily. Interest rates are changing, as well as this structure was pretty much developed just for this coming 05/07 biennium.

Rep. Monson: If we bonded all the way in, and the money projections don't come out quite as good, and then we're actually over. What's the next trick? So, we have to delay payments for 4 years?

Karlene: It would limit your ability to do projects in future years. I believe you would have to be looking at a change in the cap.

Closed General Discussion Hearing.

*Govt
Performance
2023*

General Discussion

- ☐ Committee on Committees
- ☐ Rules Committee
- ☐ Confirmation Hearings
- ☐ Delayed Bills Committee
- ☒ House Appropriations
- ☐ Senate Appropriations
- ☐ Other

Date March 23, 2005			
Tape Number	Side A	B Side	Meter #
1	X		5900-End
		X	1-End
2	X		1-310
Committee Clerk Signature <i>Stephanie N Thomas</i>			

Minutes: **Chair Carlson** opened general discussion on SB 2023, relating to provide an appropriation for state facility energy improvement capitol projects of various state departments and institutions.

Overview of sections of bill. (SEE SB 2023)

Rep. Skarphol: Where is this going to be located?

Sheila, OMB: It's right where they are now, out close to the penitentiary. On Main Ave is where both the Health Department Lab and the Crime Lab are located.

Rep. Skarphol: How many square feet does the Crime lab currently have?

Sheila: Right under 5,000 now.

2023

Rep. Skarphol: Do you have any knowledge of the Stae School of Science generator situation?

Joel Leapalddt, Architect for OMB: They have progressed further than others. Some parts of the campus should probably be up in the situation of an emergency.

Rep. Skarphol: Full generation system, or just emergency generation?

Joel: This is emergency generation only.

Rep. Glassheim: What's the life safety requirements of that generator?

Joel: The generator keeps emergency lighting.

Chair Carlson: Murphey Hall is phase what of what?

Sheila: Phase 2 of 2.

Chair Carlson: Was there a matching fundraising effort to do this at Bottineau or not?

Sheila: There is not.

Chair Carlson: What do you know about these other two still on the bonding bill? Does that coincide, because there will be 20 extra beds that will be available if they build that ET building improvements? Both of them are James River.

Rep. Delzer: I believe that it's probably the desire of the section. We're looking at an amendment to go on the corrections bill that will set up a sight and strategic planning committee of Legislators to look at all aspects of prisons, and because of that we support the MRCC being out. The 20 beds is another question, because unless we can find a way to replace those beds, we'll have to add contracting dollars for those 20 beds.

Chair Carlson: Is or is this not crucial to the way you're budgeting? Are you counting these 20 beds when you do it?

2023

Rep. Delzer: I'm sure the 20 beds are counted the way it currently is. Contracting is right around \$50.00 a day.

Rep. Skarphol: Of the 980,000, 412,000 is for increased energy efficiency? If the study were to suggest that they sell the whole facility, should we consider just taking out the 412,000 for the energy improvement for this biennium, and wait one more biennium to do that, if in fact we need it?

Rep. Delzer: I would think that is certainly something to consider, because it would probably never sell, but the fact that the matter is that if we decided to build a whole facility, we may not use that as a prison.

Rep. Skarphol: The way that it is listed at 980,000 is 142,000 is for improved security, 412,000 for energy efficiency, and 426,000 to increase the bed space.

Rep. Delzer: Right. The 426,000 I would say we should probably do. We should possibly consider funding that with cash up front.

Rep. Monson: We've got by year numbers here 730,000 dollars. If we have to send these inmates someplace else, contract them out at \$50.00 a day for 20 beds for the biennium, the cost of doing that for those 20 is 730,000 dollars. If we don't do this project, that's what you're going to have to add to your budget, right?

Rep. Delzer: Right. At least do the renovation for the old kitchen area, pantry area. I think without a doubt that should be done.

Rep. Monson: If we were to put new windows in, would you be able to take something out of the budget in their operating for being more energy efficient if we included something in here for that?

2023

Rep. Delzer: They would tell us that they figured that in to their budget.

Chair Carlson: How do these get paid? What is the campus involvement of the paying back?

When we mix all these projects together, some Corrections, some Rangeland, some college related, how do they get paid back?

Sheila: When you commit to allowing the bonding, and indicate that it is general fund supported, then the bond repayment will be added into their budget two years in a row.

Rep. Monson: It sounds like you're comfortable with the way the Senate left it?

Sheila: Yes. It just gives them the authority to raise up the 5 million, but if they don't do it, they don't do it.

Chair Carlson: How many offices can you put in the Heritage Center?

Joel: 300 square feet.

Chair Carlson: Why did you not have it on your list?

Sheila: We just did not have room, and the bonding amount.

Rep. Skarphol: What's the timeframe for the office building, and as I understood it the parking lot, and changes, and what not. Do you have a timeframe in mind on that?

Joel: It's broken down into a 10 year, 20 year, 30 year plan.

Closed General Discussion Hearing.

*Govt Performance
2023*

General Discussion

- ☐ Committee on Committees
- ☐ Rules Committee
- ☐ Confirmation Hearings
- ☐ Delayed Bills Committee
- ☒ House Appropriations
- ☐ Senate Appropriations
- ☐ Other

Date March 24, 2005			
Tape Number	Side A	B Side	Meter #
1	X		1130-5790
Committee Clerk Signature <i>Stephanie Thomas</i>			

Minutes: **Chair Carlson** opened general discussion on SB 2023, relating to provide an appropriation for state facility energy improvement capitol projects of various state departments and institutions.

Overview of amendment. (SEE AMENDMENT 58023-0203)

Overview of section 5. (SEE NEW AMENDMENT, HERITAGE CENTER STUDY)

Rep. Monson: I move amendment 0203 with changes including section 5.

Rep. Skarphol: Second.

Voice vote, motion passes.

Rep. Wald: Overview of amendment. (SEE AMENDMENT 58023.0202)

2023

Bonnie Steiger: Overview of amendment. (SEE PINK PROPOSED AMENDMENT)

Rep. Glassheim: I have some misgivings about dealing with this at all. It's really a policy committee bill, and if some folks didn't get done what they wanted done when in front of policy committee, I don't know why that's a concern. Attaching it to the bonding bill, which is pure numbers, and putting this in, I don't know if that makes the best sense.

Chair Carlson: We just authorized about 30 million dollars worth of public contract, and all those public contracts are required to follow a public bidding procedure, of which this would be part of the procedure. So, you could say it does have something to do with it.

Chair Carlson: What is the logic for no engineers?

Curt Peterson: I think the difference is that with the engineers, they tend to be more heavy construction type projects, as opposed to buildings. They are in the building, but it's different, and we do not have the same kind of situation on an engineered project against a building.

Rep. Monson: What is the difference between the relationship between that public construction road and the engineer, versus the architect who is working with the building project?

Curt: A building has a lot of portions to it, putting up the dormitory, for example. I keep saying heavy construction, which is probably dams, and those kinds of structures. That probably doesn't have all of the portions in that kind of a project, as against a building.

Rep. Monson: So, it's not as complex, because you don't have wiring.

Rep. Wald: Let's take the bridge going up in New Town, there's one general contractor who is in charge. The difference in a building is that there were probably 30 to 40 different contractors and suppliers involved from structural steel work to furnishing the doorknobs. Those are all separate bids, so you've got a much larger variety of sub contractors and suppliers involved.

When you build a bridge, or dam, or highway project, you generally have one general contractor involved whose bidding the entire project, and he supervises his sub contractors.

Rep. Monson: I would move the pink amendment with the changes where we take out engineer.

Rep. Glassheim: Second.

Chair Carlson: Voice vote, motion passes.

Rep. Skarphol: I move do pass, as amended.

Rep. Monson: Second.

Roll call vote. SB 2023 is a do pass, as amended.

Closed General Discussion Hearing.

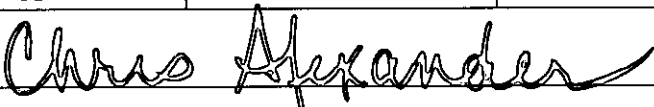
2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2023
Capital Projects (Bonding Bill)

House Appropriations Full Committee

☐ Conference Committee

Hearing Date March 24, 2005

Tape Number	Side A	Side B	Meter #
1		X	#40.5 - # end
2	X		#0 - #30.4
Committee Clerk Signature 			

Minutes:

Rep. Ken Svedjan, Chairman opened the discussion on SB2023.

Rep. Al Carlson moved to adopt amendment #0204 to SB2023

Rep. Eliot Glassheim seconded

Rep. Al Carlson explained the \$3.155 million for a fire suppression system for OMB. The second projects was the Crime Lab Addition and Renovation for the Attorney General's office for the amount of \$3, 632,691 which is the same as the Governor's recommendation.. The third project is the NDSU Hazardous Material Handling and Storage Facility for \$3.5 million. The fourth project is the ND State College of Science. They are in a multiphase project for electrical distribution. This is phase 2 of 3 phases and we approved the requested \$736,000. Murphy Hall at Dickinson State is the next project and there was supposed to be an amendment to reduce the figure to \$2.1 million, but it did not come in so we cannot proceed with this recommendation unless there is a voice vote on this issue. The next project is Thatcher Hall at Minot State

University in Botteneau. We left this in. The next 2 projects are for the Department of Corrections, one for \$980,000 and the other for \$584,000 and we left these in unchanged. The next project is the Central Grasslands Project which we removed for \$350,000. The Main Research Station project will be funded through other sources but we gave them enough to build the first half of the first phase. The North Central Research Agronomy Lab was given \$440,000 which is one third of the total cost of their project. They will be able to obtain the balance through other special funds. We did not change the \$1.1 million for the Historical Society Interpreter's Center renovation, but we removed \$5.5 million for the project that was added to this in the Senate. The last project is the Parks and Recreation Third River Administrative Office for \$350,000. The original totals in the bill were \$28,595,577 for bonding, the new figure is \$23,780,248. The overall total of the bill is now \$30,178,248 and there are authorities granted for other moneys to be raised.

Rep. Mike Timm, Vice Chairman commented that this used to be referred to as the "Christmas Tree" bill. But in those days we paid cash instead of bonding.

Rep. Al Carlson discussed the amendment regarding the additional projects for the Historical Society and the requested \$150,000 appropriation for the establishment of a study to review the needs and the long range plans for the Historical Society and the capitol grounds.

Rep. Francis J. Wald discussed the amendment dealing with construction management. This amendment says that the architect cannot have any ownership or interest in any construction company or construction management company.

Rep. Blair Thoreson explained that the language in section 6 was originally in HB1260 which has now been turned into a study resolution. This amendment needs to be taken out of the bill

and we need to wait for the study to be accomplished regarding construction management.

(meter tape #2, side A, #4.6)

Rep. David Monson explained that the committee discussed this and after much testimony from everyone involved we all agreed together that this is what was needed. The study is still needed and this will be a Band-Aid cure in the meantime.

Rep. Blair Thoreson commented that he has received several messages from people who are not happy that this language is reappearing in this bill, so not everyone is agreeing with this.

Rep. Bob Skarphol agrees with Rep Monson and there are very strong feelings on the part of the architects that we need to do this right away.

Rep. Francis J. Wald explained that this was not an end run because this section was not voted on in session since it was made into a resolution. This only applies to architects because we took engineers out of this.

Rep. Ken Svedjan, Chairman called for a voice vote on the motion to adopt amendment #0204 to SB2023. Motion carried.

Rep. Blair Thoreson moved to further amend to remove section 6.

Rep. Tom Brusegaard seconded

Rep. Francis J. Wald commented that he would resist this motion because of the conflict of interest implied in this.

Rep. Eliot Glassheim commented that both sides of this issue can live with this amendment as it is for two years and see what happens in the study

Rep. Mike Timm, Vice Chairman discussed the problem in Dickinson that prompted this bill.

Rep. Blair Thoreson asked if this is a widespread problem or just one case.

Rep. Francis J. Wald explained that the nature of the construction industry is changing rapidly and we need to monitor this to make sure that there are built in check points.

Rep. Ken Svedjan, Chairman called for a voice vote on the motion to further amend SB2023 by removing section 6. Motion failed.

Rep. Tom Brusegaard moved to further amend by removing the project at Botteneau and add that \$2.5 million in authority to the Main Research Center Greenhouse Project.

Rep. Bob Martinson seconded

Rep. Ken Svedjan, Chairman clarified the motion.

Rep. Mike Timm, Vice Chairman asked why

Rep. Tom Brusegaard answered that the original bill had \$4.5 million in this project and the Senate changed it to \$2 million and the Botteneau project jumped up with the cost of \$2.5 million. I think the Senate took money away from the greenhouse project and gave it to Botteneau and I would like to restore it.

Rep. Al Carlson asked OMB to verify this assertion.

Ms Sheila Peterson of OMB answered that the original cost for the greenhouse project was at \$4.5 million with \$2 million of it being state bonding and \$2.5 million being raised by the extension station.

Rep. Tom Brusegaard asked if the Senate changed the project at all

Ms Sheila Peterson answered that the Senate increased the local match to \$5 million so \$2 million was state bonding and \$5 million was local money for a total of \$7 million, but the state share never changed.

Rep. Tom Brusegaard commented that the senate version of the bill in section 1 talks about bonding projects. Page 2, line 11 of the bill lists the greenhouse complex at \$4.5 million which makes me think that the state would bond for \$4.5 million.

Ms. Sheila Peterson answered that if you look further down in the bill section 2 explains that the state would have bonded for \$4.5 million but the repayment of \$2.5 million of it would have come from local moneys.

Rep. David Monson asked what the ranking was for the Botteneau project.

Ms Sheila Peterson answered number 4.

Rep. David Monson commented that the committee heard all these arguments and the reason why the greenhouse project was reduced was because it was intended to be a three phase project, and these folks told us they were okay with this amount. Botteneau is one of our schools too and we have to care for it too.

Rep. Mike Timm, Vice Chairman commented that he would resist this motion because we are robbing from one project to pay for another. Since this wasn't in the recommendation to start with we should resist the motion.

Rep. Bob Martinson commented that this project was on the original list of projects for Fargo. The Senate did indeed take out the NDSU bonding money and give it to Botteneau. This project is in great need of help too.

Rep. Bob Skarphol commented that we cannot close Botteneau and we have to support it. Dr. Grafton at NDSU is satisfied with what is currently in this proposal. They are unsure they can make the local match anyway, and they are happy to get started on the building.

Rep. Bob Martinson asked what the local match is at Botteneau.

Rep. Bob Skarphol answered that there was no local match.

Rep. Bob Martinson asked when the last time was that we appropriated money for a college building without a local match.

Rep. Bob Skarphol answered that he could not answer this.

Rep. Ken Svedjan, Chairman called for a voice vote on the motion to further amend by removing the money for the Botteneau project and shifting it to the greenhouse project at the Main Research Station. Vote was unclear. Roll call vote was called. Motion failed with a vote of 8 yeas, 14 neas, and 1 absence. (meter Tape #2, side A, #22.0)

Rep. Francis J. Wald asked how close we are to the maximum 10 cent to the 1 cent sales tax.

Rep. Al Carlson answered that we have a debt service available of \$1.5 million for 2005-07. In 2007-09 we have \$226,000. But we did reduce \$5 million off of the figures that are in here so there is some room for the future.

Rep. Francis J. Wald asked if the emergency clause in section 5 is applicable to all the sections of this bill.

Ms Sheila Peterson answered that this gives the agencies the opportunity to get started on developing their request for proposal and bids before July 1.

Rep. Al Carlson commented that section 3 authorizes \$2.3 million worth of energy improvements at UND. They will be paying for these bond payments themselves from the energy savings.

Rep. Jeff Delzer moved to further amend SB2023 by removing Thatcher Hall at Botteneau for \$2.5 million.

Rep. Tom Brusegaard seconded

Rep. Ken Svedjan, Chairman called for a voice vote on the motion to further amend by removing Thatcher Hall. Motion failed.

Rep. Chet Pollert moved to further amend by restoring the Central Grassland funding of \$350,000 and explained that this program didn't even have a building to meet in and had to meet in a garage.

Rep. David Monson seconded

Rep. Al Carlson commented that this was the least thought out plan of all of the projects brought in this bill. They have no drawings or plans and the figure was arrived at by one of the folks mentioning that he knew a guy who could build a building for \$100 per foot. We removed this until they come up with a real plan.

Rep. Ole Aarsvold commented that he was out several meetings where the plans for the building were drawn out and the estimate was derived from real plans.

Rep. Ken Svedjan, Chairman called for a voice vote on the motion to further amend by restoring Central Grasslands funding for \$350,000. Voice Vote was unclear. Roll call vote was called. Motion failed with a vote of 11 yeas, 11 nays, and 1 absence.

Rep. Bob Skarphol commented that the subcommittee did discuss this building and figured it might come up again in conferences.

Rep. Al Carlson moved a Do Pass As Amended motion for SB2023.

Rep. Bob Skarphol seconded

Rep. Jeff Delzer commented that this biennium we have \$20 million in bonding and it continues for future biennia. We should be paying cash for all these buildings and not bonding for them. I cannot support this bill.

Page 8
House Appropriations Committee
Bill/Resolution Number SB2023
Hearing Date March 24, 2005

Rep. Ken Svedjan, Chairman called for a roll call vote on the Do Pass As Amended motion for SB2023. Motion carried with a vote of 16 yeas, 6 nays and 1 absences. Rep Carlson will carry the bill to the house floor.

Rep. Ken Svedjan, Chairman closed the discussion on SB2023 and adjourned meeting. (meter Tape #2, side A, #30.4)

ENGBRETSON/AIA DRAFT
23 MAR

48-01.1-09 Use of a construction manager. If a governing body uses a construction manager on a public improvement, the construction manager must be a licensed contractor. The architect and engineer awarded the design contract and the construction manager awarded the construction management contract for a public improvement must carry out their contractual duties as agents to the public improvement entity, whereas the architect, engineer and construction manager may not construct any portion of the public improvement and may not directly or indirectly contract with any contractor or subcontractor to construct any portion of the work. The construction manager awarded the contract for ~~construction~~ of a public improvement shall bond the entire cost of the project through a single bond, or through bonds provided by all bid packages and the construction manager's bond for the full amount of the construction manager's services. If the total of the bonds is less than the total project bid, the construction manager shall bond the difference between the total of the bonds and the total project bid."

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2023

Page 1, line 4, after the first semicolon insert "to amend and reenact section 48-01.1-09 of the North Dakota Century Code, relating to use of a construction manager for public improvements to public buildings;"

Page 4, after line 2, insert:

"SECTION 4. AMENDMENT. Section 48-01.1-09 of the North Dakota Century Code is amended and reenacted as follows:

48-01.1-09. Use of construction manager. If a governing body uses a construction manager on a public improvement, the construction manager must be a licensed contractor. If the construction manager is an architect, that architect may not have common ownership with any architect, engineer, or contractor involved in the planning, design, or construction of the public improvement. The construction manager awarded the contract for a public improvement may not construct any portion of the public improvement and may not contract with any subcontractor to construct any portion of the public improvement. The construction manager awarded the contract for ~~construction~~ of a public improvement shall bond the entire cost of the project through a single bond, or through bonds provided by all bid packages and the construction manager's bond for the full amount of the construction manager's services. If the total of the bonds is less than the total project bid, the construction manager shall bond the difference between the total of the bonds and the total project bid."

Renumber accordingly

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2023

Page 1, line 20, replace "3,500,000" with "3,632,691"

Page 1, line 21, replace "3,300,000" with "3,500,000"

Page 2, remove line 7

Page 2, remove lines 10 and 11

Page 2, line 13, replace "28,595,557" with "23,078,248"

Page 3, remove lines 1 through 5

Page 3, line 11, replace "35,895,557" with "30,178,248"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2023 - Summary of House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Office of Management and Budget				
Total all funds	\$3,155,000	\$3,155,000	\$0	\$3,155,000
Less estimated income	<u>3,155,000</u>	<u>3,155,000</u>		<u>3,155,000</u>
General fund	\$0	\$0	\$0	\$0
Attorney General				
Total all funds	\$3,632,691	\$3,500,000	\$132,691	\$3,632,691
Less estimated income	<u>3,632,691</u>	<u>3,500,000</u>	<u>132,691</u>	<u>3,632,691</u>
General fund	\$0	\$0	\$0	\$0
University of North Dakota				
Total all funds	\$2,331,554	\$2,331,554	\$0	\$2,331,554
Less estimated income	<u>2,331,554</u>	<u>2,331,554</u>		<u>2,331,554</u>
General fund	\$0	\$0	\$0	\$0
North Dakota State University				
Total all funds	\$3,500,000	\$3,300,000	\$200,000	\$3,500,000
Less estimated income	<u>3,500,000</u>	<u>3,300,000</u>	<u>200,000</u>	<u>3,500,000</u>
General fund	\$0	\$0	\$0	\$0
State College of Science				
Total all funds	\$736,000	\$736,000	\$0	\$736,000
Less estimated income	<u>736,000</u>	<u>736,000</u>		<u>736,000</u>
General fund	\$0	\$0	\$0	\$0
Dickinson State University				
Total all funds	\$4,100,557	\$4,100,557	\$0	\$4,100,557
Less estimated income	<u>4,100,557</u>	<u>4,100,557</u>		<u>4,100,557</u>
General fund	\$0	\$0	\$0	\$0
Minot State University - Bottineau				
Total all funds	\$0	\$2,500,000	\$0	\$2,500,000
Less estimated income		<u>2,500,000</u>		<u>2,500,000</u>
General fund	\$0	\$0	\$0	\$0

Department of Human Services				
Total all funds	\$455,000	\$0	\$0	\$0
Less estimated income	<u>455,000</u>			
General fund	\$0	\$0	\$0	\$0
Department of Corrections and Rehabilitation				
Total all funds	\$3,586,510	\$1,564,000	\$0	\$1,564,000
Less estimated income	<u>3,586,510</u>	<u>1,564,000</u>		<u>1,564,000</u>
General fund	\$0	\$0	\$0	\$0
Branch Research Centers				
Total all funds	\$1,320,000	\$2,040,000	(\$350,000)	\$1,690,000
Less estimated income	<u>1,320,000</u>	<u>2,040,000</u>	<u>(350,000)</u>	<u>1,690,000</u>
General fund	\$0	\$0	\$0	\$0
Main Research Station				
Total all funds	\$4,500,000	\$7,000,000	\$0	\$7,000,000
Less estimated income	<u>4,500,000</u>	<u>7,000,000</u>		<u>7,000,000</u>
General fund	\$0	\$0	\$0	\$0
State Historical Society				
Total all funds	\$1,600,000	\$7,300,000	(\$5,700,000)	\$1,600,000
Less estimated income	<u>1,600,000</u>	<u>7,300,000</u>	<u>(5,700,000)</u>	<u>1,600,000</u>
General fund	\$0	\$0	\$0	\$0
Parks and Recreation Department				
Total all funds	\$700,000	\$700,000	\$0	\$700,000
Less estimated income	<u>700,000</u>	<u>700,000</u>		<u>700,000</u>
General fund	\$0	\$0	\$0	\$0
Bill Total				
Total all funds	\$29,617,312	\$38,227,111	(\$5,717,309)	\$32,509,802
Less estimated income	<u>29,617,312</u>	<u>38,227,111</u>	<u>(5,717,309)</u>	<u>32,509,802</u>
General fund	\$0	\$0	\$0	\$0

Senate Bill No. 2023 - Attorney General - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Capital assets	<u>\$3,632,691</u>	<u>\$3,500,000</u>	<u>\$132,691</u>	<u>\$3,632,691</u>
Total all funds	\$3,632,691	\$3,500,000	\$132,691	\$3,632,691
Less estimated income	<u>3,632,691</u>	<u>3,500,000</u>	<u>132,691</u>	<u>3,632,691</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

Dept. 125 - Attorney General - Detail of House Changes

	INCREASES FUNDING FOR CRIME LAB ADDITION AND RENOVATION	TOTAL HOUSE CHANGES
Capital assets	<u>\$132,691</u>	<u>\$132,691</u>
Total all funds	\$132,691	\$132,691
Less estimated income	<u>132,691</u>	<u>132,691</u>
General fund	\$0	\$0
FTE	0.00	0.00

Senate Bill No. 2023 - North Dakota State University - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Capital assets	<u>\$3,500,000</u>	<u>\$3,300,000</u>	<u>\$200,000</u>	<u>\$3,500,000</u>
Total all funds	\$3,500,000	\$3,300,000	\$200,000	\$3,500,000
Less estimated income	<u>3,500,000</u>	<u>3,300,000</u>	<u>200,000</u>	<u>3,500,000</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

Dept. 235 - North Dakota State University - Detail of House Changes

	INCREASES FUNDING FOR HAZARDOUS MATERIAL HANDLING AND STORAGE FACILITY	TOTAL HOUSE CHANGES
Capital assets	<u>\$200,000</u>	<u>\$200,000</u>
Total all funds	\$200,000	\$200,000
Less estimated income	<u>200,000</u>	<u>200,000</u>
General fund	\$0	\$0
FTE	0.00	0.00

Senate Bill No. 2023 - Branch Research Centers - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Capital assets	<u>\$1,320,000</u>	<u>\$2,040,000</u>	<u>(\$350,000)</u>	<u>\$1,690,000</u>
Total all funds	\$1,320,000	\$2,040,000	(\$350,000)	\$1,690,000
Less estimated income	<u>1,320,000</u>	<u>2,040,000</u>	<u>(350,000)</u>	<u>1,690,000</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

Dept. 628 - Branch Research Centers - Detail of House Changes

	REMOVES FUNDING FOR CENTRAL GRASSLANDS RESEARCH EXTENSION CENTER ADDITION	TOTAL HOUSE CHANGES
Capital assets	<u>(\$350,000)</u>	<u>(\$350,000)</u>
Total all funds	(\$350,000)	(\$350,000)
Less estimated income	<u>(350,000)</u>	<u>(350,000)</u>
General fund	\$0	\$0
FTE	0.00	0.00

Senate Bill No. 2023 - State Historical Society - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Capital assets	<u>\$1,600,000</u>	<u>\$7,300,000</u>	<u>(\$5,700,000)</u>	<u>\$1,600,000</u>
Total all funds	\$1,600,000	\$7,300,000	(\$5,700,000)	\$1,600,000
Less estimated income	<u>1,600,000</u>	<u>7,300,000</u>	<u>(5,700,000)</u>	<u>1,600,000</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

Dept. 701 - State Historical Society - Detail of House Changes

	REMOVES FUNDING FOR HISTORICAL SOCIETY AND HERITAGE CENTER RESEARCH COLLECTIONS	TOTAL HOUSE CHANGES
Capital assets	<u>(\$5,700,000)</u>	<u>(\$5,700,000)</u>
Total all funds	(\$5,700,000)	(\$5,700,000)
Less estimated income	<u>(5,700,000)</u>	<u>(5,700,000)</u>
General fund	\$0	\$0
FTE	0.00	0.00

March 24, 2005

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2023

Page 1, line 4, after the second semicolon insert "to provide an appropriation; to amend and reenact section 48-01.1-09 of the North Dakota Century Code, relating to the use of a construction manager;"

Page 1, line 20, replace "3,500,000" with "3,632,691"

Page 1, line 21, replace "3,300,000" with "3,500,000"

Page 2, remove line 7

Page 2, remove lines 10 and 11

Page 2, line 13, replace "28,595,557" with "23,078,248"

Page 3, remove lines 1 through 5

Page 3, line 11, replace "35,895,557" with "30,178,248"

Page 4, line 4, remove "- HERITAGE CENTER"

Page 4, line 7, remove "This study must include the long-term needs of the North Dakota heritage center."

Page 4, after line 9, insert:

"SECTION 5. APPROPRIATION - HERITAGE CENTER STUDY. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$150,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of conducting a study regarding an expanded heritage center, including archive storage, exhibit area, and all other such spaces necessary to complete the facility as outlined in the North Dakota state capitol complex master plan dated December 14, 2000. The study shall also examine an alternate location for a comparable replacement facility on the capitol grounds taking into account the cost to retrofit the existing heritage center and long-range plans for the capitol grounds. The office of management and budget shall present the results of the study to the sixtieth legislative assembly.

SECTION 6. AMENDMENT. Section 48-01.1-09 of the North Dakota Century Code is amended and reenacted as follows:

48-01.1-09. Use of construction manager. If a governing body uses a construction manager on a public improvement, the construction manager must be a licensed contractor. The architect awarded the design contract and the construction manager awarded the construction management contract for a public improvement must carry out their contractual duties as agents to the public improvement entity.

whereas the architect and construction manager may not construct any portion of the public improvement and may not directly or indirectly contract with any contractor or subcontractor to construct any portion of the work. The construction manager awarded the contract for construction of a public improvement shall bond the entire cost of the project through a single bond; or through bonds provided by all bid packages and the construction manager's bond for the full amount of the construction manager's services. If the total of the bonds is less than the total project bid, the construction manager shall bond the difference between the total of the bonds and the total project bid."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2023 - Summary of House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Office of Management and Budget				
Total all funds	\$3,155,000	\$3,155,000	\$150,000	\$3,305,000
Less estimated income	<u>3,155,000</u>	<u>3,155,000</u>		<u>3,155,000</u>
General fund	\$0	\$0	\$150,000	\$150,000
Attorney General				
Total all funds	\$3,632,691	\$3,500,000	\$132,691	\$3,632,691
Less estimated income	<u>3,632,691</u>	<u>3,500,000</u>	<u>132,691</u>	<u>3,632,691</u>
General fund	\$0	\$0	\$0	\$0
University of North Dakota				
Total all funds	\$2,331,554	\$2,331,554	\$0	\$2,331,554
Less estimated income	<u>2,331,554</u>	<u>2,331,554</u>		<u>2,331,554</u>
General fund	\$0	\$0	\$0	\$0
North Dakota State University				
Total all funds	\$3,500,000	\$3,300,000	\$200,000	\$3,500,000
Less estimated income	<u>3,500,000</u>	<u>3,300,000</u>	<u>200,000</u>	<u>3,500,000</u>
General fund	\$0	\$0	\$0	\$0
State College of Science				
Total all funds	\$736,000	\$736,000	\$0	\$736,000
Less estimated income	<u>736,000</u>	<u>736,000</u>		<u>736,000</u>
General fund	\$0	\$0	\$0	\$0
Dickinson State University				
Total all funds	\$4,100,557	\$4,100,557	\$0	\$4,100,557
Less estimated income	<u>4,100,557</u>	<u>4,100,557</u>		<u>4,100,557</u>
General fund	\$0	\$0	\$0	\$0
Minot State University - Bottineau				
Total all funds	\$0	\$2,500,000	\$0	\$2,500,000
Less estimated income		<u>2,500,000</u>		<u>2,500,000</u>
General fund	\$0	\$0	\$0	\$0
Department of Human Services				
Total all funds	\$455,000	\$0	\$0	\$0
Less estimated income	<u>455,000</u>			
General fund	\$0	\$0	\$0	\$0
Department of Corrections and Rehabilitation				
Total all funds	\$3,586,510	\$1,564,000	\$0	\$1,564,000
Less estimated income	<u>3,586,510</u>	<u>1,564,000</u>		<u>1,564,000</u>
General fund	\$0	\$0	\$0	\$0
Branch Research Centers				
Total all funds	\$1,320,000	\$2,040,000	(\$350,000)	\$1,690,000
Less estimated income	<u>1,320,000</u>	<u>2,040,000</u>	<u>(350,000)</u>	<u>1,690,000</u>
General fund	\$0	\$0	\$0	\$0
Main Research Station				
Total all funds	\$4,500,000	\$7,000,000	\$0	\$7,000,000
Less estimated income	<u>4,500,000</u>	<u>7,000,000</u>		<u>7,000,000</u>
General fund	\$0	\$0	\$0	\$0
State Historical Society				
Total all funds	\$1,600,000	\$7,300,000	(\$5,700,000)	\$1,600,000
Less estimated income	<u>1,600,000</u>	<u>7,300,000</u>	<u>(5,700,000)</u>	<u>1,600,000</u>
General fund	\$0	\$0	\$0	\$0

Parks and Recreation
Department

Total all funds	\$700,000	\$700,000	\$0	\$700,000
Less estimated income	<u>700,000</u>	<u>700,000</u>		<u>700,000</u>
General fund	\$0	\$0	\$0	\$0

Bill Total

Total all funds	\$29,617,312	\$38,227,111	(\$5,567,309)	\$32,659,802
Less estimated income	<u>29,617,312</u>	<u>38,227,111</u>	<u>(5,717,309)</u>	<u>32,509,802</u>
General fund	\$0	\$0	\$150,000	\$150,000

Senate Bill No. 2023 - Office of Management and Budget - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Operating expenses			\$150,000	\$150,000
Capital assets	<u>\$3,155,000</u>	<u>\$3,155,000</u>		<u>3,155,000</u>
Total all funds	\$3,155,000	\$3,155,000	\$150,000	\$3,305,000
Less estimated income	<u>3,155,000</u>	<u>3,155,000</u>		<u>3,155,000</u>
General fund	\$0	\$0	\$150,000	\$150,000
FTE	0.00	0.00	0.00	0.00

Dept. 110 - Office of Management and Budget - Detail of House Changes

	PROVIDES FUNDING FOR A STUDY OF EXPANDING THE HERITAGE CENTER ¹	TOTAL HOUSE CHANGES
Operating expenses	\$150,000	\$150,000
Capital assets		
Total all funds	\$150,000	\$150,000
Less estimated income		
General fund	\$150,000	\$150,000
FTE	0.00	0.00

¹ This amendment provides a \$150,000 general fund appropriation to the Office of Management and Budget for the purpose of conducting a study regarding an expansion of the Heritage Center.

Senate Bill No. 2023 - Attorney General - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Capital assets	<u>\$3,632,691</u>	<u>\$3,500,000</u>	<u>\$132,691</u>	<u>\$3,632,691</u>
Total all funds	\$3,632,691	\$3,500,000	\$132,691	\$3,632,691
Less estimated income	<u>3,632,691</u>	<u>3,500,000</u>	<u>132,691</u>	<u>3,632,691</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

Dept. 125 - Attorney General - Detail of House Changes

	INCREASES FUNDING FOR CRIME LAB ADDITION AND RENOVATION	TOTAL HOUSE CHANGES
Capital assets	<u>\$132,691</u>	<u>\$132,691</u>
Total all funds	\$132,691	\$132,691
Less estimated income	<u>132,691</u>	<u>132,691</u>
General fund	\$0	\$0
FTE	0.00	0.00

Senate Bill No. 2023 - North Dakota State University - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Capital assets	<u>\$3,500,000</u>	<u>\$3,300,000</u>	<u>\$200,000</u>	<u>\$3,500,000</u>
Total all funds	\$3,500,000	\$3,300,000	\$200,000	\$3,500,000
Less estimated income	<u>3,500,000</u>	<u>3,300,000</u>	<u>200,000</u>	<u>3,500,000</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

Dept. 235 - North Dakota State University - Detail of House Changes

	INCREASES FUNDING FOR HAZARDOUS MATERIAL HANDLING AND STORAGE FACILITY	TOTAL HOUSE CHANGES
Capital assets	<u>\$200,000</u>	<u>\$200,000</u>
Total all funds	\$200,000	\$200,000
Less estimated income	<u>200,000</u>	<u>200,000</u>
General fund	\$0	\$0
FTE	0.00	0.00

Senate Bill No. 2023 - Branch Research Centers - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Capital assets	<u>\$1,320,000</u>	<u>\$2,040,000</u>	<u>(\$350,000)</u>	<u>\$1,690,000</u>
Total all funds	\$1,320,000	\$2,040,000	(\$350,000)	\$1,690,000
Less estimated income	<u>1,320,000</u>	<u>2,040,000</u>	<u>(350,000)</u>	<u>1,690,000</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

Dept. 628 - Branch Research Centers - Detail of House Changes

	REMOVES FUNDING FOR CENTRAL GRASSLANDS RESEARCH EXTENSION CENTER ADDITION	TOTAL HOUSE CHANGES
Capital assets	<u>(\$350,000)</u>	<u>(\$350,000)</u>
Total all funds	(\$350,000)	(\$350,000)
Less estimated income	<u>(350,000)</u>	<u>(350,000)</u>
General fund	\$0	\$0
FTE	0.00	0.00

Senate Bill No. 2023 - State Historical Society - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Capital assets	<u>\$1,600,000</u>	<u>\$7,300,000</u>	<u>(\$5,700,000)</u>	<u>\$1,600,000</u>
Total all funds	\$1,600,000	\$7,300,000	(\$5,700,000)	\$1,600,000
Less estimated income	<u>1,600,000</u>	<u>7,300,000</u>	<u>(5,700,000)</u>	<u>1,600,000</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

Dept. 701 - State Historical Society - Detail of House Changes

	REMOVES FUNDING FOR HISTORICAL SOCIETY AND HERITAGE CENTER RESEARCH COLLECTIONS	TOTAL HOUSE CHANGES
Capital assets	<u>(\$5,700,000)</u>	<u>(\$5,700,000)</u>
Total all funds	<u>(\$5,700,000)</u>	<u>(\$5,700,000)</u>
Less estimated income	<u>(5,700,000)</u>	<u>(5,700,000)</u>
General fund	\$0	\$0
FTE	0.00	0.00



Date: March 24, 2005
Roll Call Vote #:

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2023

House Government Performance Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 58023.020~~3~~ / New Amendment

Action Taken Do Pass, As Amended

Motion Made By Rep Skarphol Seconded By Rep. Monson

Representatives	Yes	No	Representatives	Yes	No
Chairman Carlson	X		Rep. Glassheim	X	
Vice Chairman Skarphol	X				
Rep. Monson	X				

Total (Yes) 4 No 0

Absent 0

Floor Assignment Chairman Carlson

If the vote is on an amendment, briefly indicate intent:

Changes to Both Amendments

Date: March 24, 2005
Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB2023

House Appropriations - Full Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 58023.0204

Action Taken **DO PASS AS AMENDED**

Motion Made By **Rep Carlson** Seconded By **Rep Skarphol**

Representatives	Yes	No	Representatives	Yes	No
Rep. Ken Svedjan, Chairman	X		Rep. Bob Skarphol	X	
Rep. Mike Timm, Vice Chairman	X		Rep. David Monson	X	
Rep. Bob Martinson	X		Rep. Eliot Glassheim	X	
Rep. Tom Brusegaard	X		Rep. Jeff Delzer		X
Rep. Earl Rennerfeldt	X		Rep. Chet Pollert	X	
Rep. Francis J. Wald	X		Rep. Larry Bellew		X
Rep. Ole Aarsvold	X		Rep. Alon C. Wieland		X
Rep. Pam Guleson	X		Rep. James Kerzman	AB	
Rep. Ron Carlisle	X		Rep. Ralph Metcalf		X
Rep. Keith Kempenich		X			
Rep. Blair Thoreson		X			
Rep. Joe Kroeber	X				
Rep. Clark Williams	X				
Rep. Al Carlson	X				

Total Yes 16 No 6

Absent 1

Floor Assignment **Rep Carlson**

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2023, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2023 was placed on the Sixth order on the calendar.

Page 1, line 4, after the second semicolon insert "to provide an appropriation; to amend and reenact section 48-01.1-09 of the North Dakota Century Code, relating to the use of a construction manager;"

Page 1, line 20, replace "3,500,000" with "3,632,691"

Page 1, line 21, replace "3,300,000" with "3,500,000"

Page 2, remove line 7

Page 2, remove lines 10 and 11

Page 2, line 13, replace "28,595,557" with "23,078,248"

Page 3, remove lines 1 through 5

Page 3, line 11, replace "35,895,557" with "30,178,248"

Page 4, line 4, remove "- HERITAGE CENTER"

Page 4, line 7, remove "This study must include the long-term needs of the North Dakota heritage center."

Page 4, after line 9, insert:

"SECTION 5. APPROPRIATION - HERITAGE CENTER STUDY. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$150,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of conducting a study regarding an expanded heritage center, including archive storage, exhibit area, and all other such spaces necessary to complete the facility as outlined in the North Dakota state capitol complex master plan dated December 14, 2000. The study also must examine an alternate location for a comparable replacement facility on the capitol grounds taking into account the cost to retrofit the existing heritage center and long-range plans for the capitol grounds. The office of management and budget shall present the results of the study to the sixtieth legislative assembly.

SECTION 6. AMENDMENT. Section 48-01.1-09 of the North Dakota Century Code is amended and reenacted as follows:

48-01.1-09. Use of construction manager. If a governing body uses a construction manager on a public improvement, the construction manager must be a licensed contractor. The architect awarded the design contract and the construction manager awarded the construction management contract for a public improvement shall carry out their contractual duties as agents to the public improvement entity. The architect and construction manager may not construct any portion of the public improvement and may not contract with any contractor or subcontractor to construct any portion of the work. The construction manager awarded the contract for ~~construction of~~ a public improvement shall bond the entire cost of the project through a single bond; or through bonds provided by all bid packages and the construction manager's bond for the full amount of the construction manager's services. If the total

of the bonds is less than the total project bid, the construction manager shall bond the difference between the total of the bonds and the total project bid."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2023 - Summary of House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Office of Management and Budget				
Total all funds	\$3,155,000	\$3,155,000	\$150,000	\$3,305,000
Less estimated income	<u>3,155,000</u>	<u>3,155,000</u>		<u>3,155,000</u>
General fund	\$0	\$0	\$150,000	\$150,000
Attorney General				
Total all funds	\$3,632,691	\$3,500,000	\$132,691	\$3,632,691
Less estimated income	<u>3,632,691</u>	<u>3,500,000</u>	<u>132,691</u>	<u>3,632,691</u>
General fund	\$0	\$0	\$0	\$0
University of North Dakota				
Total all funds	\$2,331,554	\$2,331,554	\$0	\$2,331,554
Less estimated income	<u>2,331,554</u>	<u>2,331,554</u>		<u>2,331,554</u>
General fund	\$0	\$0	\$0	\$0
North Dakota State University				
Total all funds	\$3,500,000	\$3,300,000	\$200,000	\$3,500,000
Less estimated income	<u>3,500,000</u>	<u>3,300,000</u>	<u>200,000</u>	<u>3,500,000</u>
General fund	\$0	\$0	\$0	\$0
State College of Science				
Total all funds	\$736,000	\$736,000	\$0	\$736,000
Less estimated income	<u>736,000</u>	<u>736,000</u>		<u>736,000</u>
General fund	\$0	\$0	\$0	\$0
Dickinson State University				
Total all funds	\$4,100,557	\$4,100,557	\$0	\$4,100,557
Less estimated income	<u>4,100,557</u>	<u>4,100,557</u>		<u>4,100,557</u>
General fund	\$0	\$0	\$0	\$0
Minot State University - Bottineau				
Total all funds	\$0	\$2,500,000	\$0	\$2,500,000
Less estimated income		<u>2,500,000</u>		<u>2,500,000</u>
General fund	\$0	\$0	\$0	\$0
Department of Human Services				
Total all funds	\$455,000	\$0	\$0	\$0
Less estimated income	<u>455,000</u>			
General fund	\$0	\$0	\$0	\$0
Department of Corrections and Rehabilitation				
Total all funds	\$3,586,510	\$1,564,000	\$0	\$1,564,000
Less estimated income	<u>3,586,510</u>	<u>1,564,000</u>		<u>1,564,000</u>
General fund	\$0	\$0	\$0	\$0
Branch Research Centers				
Total all funds	\$1,320,000	\$2,040,000	(\$350,000)	\$1,690,000
Less estimated income	<u>1,320,000</u>	<u>2,040,000</u>	<u>(350,000)</u>	<u>1,690,000</u>
General fund	\$0	\$0	\$0	\$0
Main Research Station				
Total all funds	\$4,500,000	\$7,000,000	\$0	\$7,000,000
Less estimated income	<u>4,500,000</u>	<u>7,000,000</u>		<u>7,000,000</u>
General fund	\$0	\$0	\$0	\$0
State Historical Society				
Total all funds	\$1,600,000	\$7,300,000	(\$5,700,000)	\$1,600,000
Less estimated income	<u>1,600,000</u>	<u>7,300,000</u>	<u>(5,700,000)</u>	<u>1,600,000</u>
General fund	\$0	\$0	\$0	\$0
Parks and Recreation Department				
Total all funds	\$700,000	\$700,000	\$0	\$700,000
Less estimated income	<u>700,000</u>	<u>700,000</u>		<u>700,000</u>
General fund	\$0	\$0	\$0	\$0
Bill Total				
Total all funds	\$29,617,312	\$38,227,111	(\$5,567,309)	\$32,659,802

Less estimated income	<u>29,617,312</u>	<u>38,227,111</u>	<u>(5,717,309)</u>	<u>32,509,802</u>
General fund	\$0	\$0	\$150,000	\$150,000

Senate Bill No. 2023 - Office of Management and Budget - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Operating expenses			\$150,000	\$150,000
Capital assets	<u>\$3,155,000</u>	<u>\$3,155,000</u>		<u>3,155,000</u>
Total all funds	\$3,155,000	\$3,155,000	\$150,000	\$3,305,000
Less estimated income	<u>3,155,000</u>	<u>3,155,000</u>		<u>3,155,000</u>
General fund	\$0	\$0	\$150,000	\$150,000
FTE	0.00	0.00	0.00	0.00

Dept. 110 - Office of Management and Budget - Detail of House Changes

	PROVIDES FUNDING FOR A STUDY OF EXPANDING THE HERITAGE CENTER ¹	TOTAL HOUSE CHANGES
Operating expenses	\$150,000	\$150,000
Capital assets		
Total all funds	\$150,000	\$150,000
Less estimated income		
General fund	\$150,000	\$150,000
FTE	0.00	0.00

¹ This amendment provides a \$150,000 general fund appropriation to the Office of Management and Budget for the purpose of conducting a study regarding an expansion of the Heritage Center.

Senate Bill No. 2023 - Attorney General - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Capital assets	<u>\$3,632,691</u>	<u>\$3,500,000</u>	<u>\$132,691</u>	<u>\$3,632,691</u>
Total all funds	\$3,632,691	\$3,500,000	\$132,691	\$3,632,691
Less estimated income	<u>3,632,691</u>	<u>3,500,000</u>	<u>132,691</u>	<u>3,632,691</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

Dept. 125 - Attorney General - Detail of House Changes

	INCREASES FUNDING FOR CRIME LAB ADDITION AND RENOVATION	TOTAL HOUSE CHANGES
Capital assets	<u>\$132,691</u>	<u>\$132,691</u>
Total all funds	\$132,691	\$132,691
Less estimated income	<u>132,691</u>	<u>132,691</u>
General fund	\$0	\$0
FTE	0.00	0.00

Senate Bill No. 2023 - North Dakota State University - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Capital assets	<u>\$3,500,000</u>	<u>\$3,300,000</u>	<u>\$200,000</u>	<u>\$3,500,000</u>
Total all funds	<u>\$3,500,000</u>	<u>\$3,300,000</u>	<u>\$200,000</u>	<u>\$3,500,000</u>
Less estimated income	<u>3,500,000</u>	<u>3,300,000</u>	<u>200,000</u>	<u>3,500,000</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

Dept. 235 - North Dakota State University - Detail of House Changes

	INCREASES FUNDING FOR HAZARDOUS MATERIAL HANDLING AND STORAGE FACILITY	TOTAL HOUSE CHANGES
Capital assets	<u>\$200,000</u>	<u>\$200,000</u>
Total all funds	<u>\$200,000</u>	<u>\$200,000</u>
Less estimated income	<u>200,000</u>	<u>200,000</u>
General fund	\$0	\$0
FTE	0.00	0.00

Senate Bill No. 2023 - Branch Research Centers - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Capital assets	<u>\$1,320,000</u>	<u>\$2,040,000</u>	<u>(\$350,000)</u>	<u>\$1,690,000</u>
Total all funds	<u>\$1,320,000</u>	<u>\$2,040,000</u>	<u>(\$350,000)</u>	<u>\$1,690,000</u>
Less estimated income	<u>1,320,000</u>	<u>2,040,000</u>	<u>(350,000)</u>	<u>1,690,000</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

Dept. 628 - Branch Research Centers - Detail of House Changes

	REMOVES FUNDING FOR CENTRAL GRASSLANDS RESEARCH EXTENSION CENTER ADDITION	TOTAL HOUSE CHANGES
Capital assets	<u>(\$350,000)</u>	<u>(\$350,000)</u>
Total all funds	<u>(\$350,000)</u>	<u>(\$350,000)</u>
Less estimated income	<u>(350,000)</u>	<u>(350,000)</u>
General fund	\$0	\$0
FTE	0.00	0.00

Senate Bill No. 2023 - State Historical Society - House Action

EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
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REPORT OF STANDING COMMITTEE (410)
March 28, 2005 1:13 p.m.

Module No: HR-56-6331
Carrier: Carlson
Insert LC: 58023.0205 Title: .0300

Capital assets	<u>\$1,600,000</u>	<u>\$7,300,000</u>	<u>(\$5,700,000)</u>	<u>\$1,600,000</u>
Total all funds	\$1,600,000	\$7,300,000	(\$5,700,000)	\$1,600,000
Less estimated income	<u>1,600,000</u>	<u>7,300,000</u>	<u>(5,700,000)</u>	<u>1,600,000</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

Dept. 701 - State Historical Society - Detail of House Changes

	REMOVES FUNDING FOR HISTORICAL SOCIETY AND HERITAGE CENTER RESEARCH COLLECTIONS	TOTAL HOUSE CHANGES
Capital assets	<u>(\$5,700,000)</u>	<u>(\$5,700,000)</u>
Total all funds	(\$5,700,000)	(\$5,700,000)
Less estimated income	<u>(5,700,000)</u>	<u>(5,700,000)</u>
General fund	\$0	\$0
FTE	0.00	0.00

2005 SENATE APPROPRIATIONS

CONFERENCE COMMITTEE

SB 2023

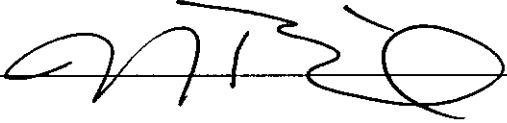
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2023

Senate Appropriations Committee

☒ Conference Committee

Hearing Date 04/06/05

Tape Number	Side A	Side B	Meter #
3	x		2318-5502
Committee Clerk Signature 			

Minutes:

Sen. Kringstad asked the members of the House to explain what changes they have made to SB 2023.

Rep. Carson(2363): The biggest changes are that you had reduced \$132,691 from the Attorney General's crime lab addition, we reinstated it. The 3.15 for the fire suppression system stayed the same. Regarding hazardous facility, the change there was your is 3.5 million ours is 3.3. We are bonding for the 3.5 million. The State College of Science electrical distribution stayed the same. Murphy Hall stayed they same. In the State Hospital the electrical transformer replacement, broken water tower projects is not in this bill. The Minot State Thatcher Hall, you had put in 2.5 million we retained the 2.5 million. DOCR the center ET building stayed in at 980. The James River Corrections building code improvements stayed in at 584. The 2.2 million dollars that was in the governors version, was taken out by the Senate, we did not reinstate that. The north central agronomy and the laboratory and green house, that stayed the

same. We removed the central grasslands. The extension office addition. The greenhouse complex at NDSU, the numbers stayed the same as your version. The chateau interpretive center, the version stayed the same as yours. The historical society research collections expansion was removed by the House. The parks and rec's Turtle River State Park, its basically the same as your version, we will bond for the total amount but the 350 will be raised by parks and rec. The energy project at UND was left there as well. Our major changes are the heritage center, the central grasslands and the reinstatement of the money for the crime lab.

Sen Kringstad: Could you explain the reasoning behind taking out the grasslands?

Rep. Skarpol: We felt that the numbers we were provide were not well founded.

Sen. Kringstad: Could you explain the reasoning behind taking out the archives building in the Heritage Center?

Rep. Carson (2803): We could tell you that we had major concerns regarding the expensive cost of the storage space. Also coupling that with their future plans of a 23 to 26 million dollar remodeling and renovation adding on the Heritage Center next session. We though it would be best to look at other sites on the capitol grounds. If you take a look at the language in the bill it is very specific about studying the needs of the Heritage Center and whether or not it fits into the whole capitol grounds complex. We thought there were enough unanswered questions to remove the project

Rep. Skarpol: There is a potential plan in the works to build a 30 million dollar office building on the Capitol grounds.

Sen. Grindberg: That idea is 6 years old.

Rep. Skarpol: We still felt strongly enough for us to look at a \$150,000 study resolution to provide us with a long term utilization process on the grounds.

Sen. Kringstad (3088): How would we change the Heritage Center into offices, I think it would be difficult.

Rep Carson: That is part of it but another part of the equation is that when you talk about building on to the Heritage Center, new addition on each side of the building. One of them being storage and the other being a remodel. When you look at the cost for storage, we struggled with the 5.5 million for a Climatized storage facility.

Sen. Krauter (3267): Initially I was not fond of the expansion. Its clear that this is something that has been delayed for far to Long Its valuable for the State.

Sen. Grindberg: I put the bill in January to bond for the project in the request for some people who were interested in the Heritage Center. There is a need for additional space, if we were true we would have been doing something earlier. I am not adverse to a long term plan for the Capitol grounds, but I am also a realist. If we don't do it now, it will never get done.

Rep. Carson: There is a lot more to this than just saying we have to save every box that comes to us because it has historical value. We think there might be a better idea that adding on to two sides of that building and that idea may be to actively peruse putting a new building into the hill, for storage underground. And building a new Heritage Center building. Also we do not sell the historical aspect of ND, there are no signs on our roads, highways that say "Heritage Center this way."

Rep. Skarpol: We were provided with the idea of compact storage for 2 to 4 years before there is

an extreme need for this.

Sen. Kringstad: The cost is \$175/sqft for the expansion, not \$375 right?

Rep. Skarpol: There is 19,000/sqft in storage space in a 32,000ft addition. That means there is in excess an additional 10,000 or so feet in non-storage space. Mr. Chairman, this is going to be a sticking point as we go through this, I know it is only our first meeting. I think there are something's that we could agree on without much problem.

Sen. Kringstad (4203): Have you had a chance to tour the place?

Rep. Skarpol: Oh, I've been in the Heritage Center many times.

Sen. Kringstad: In the new part, in the storage area.

Rep. Skarpol: No.

Sen. Kringstad: I think you should tour it, in face we will hold the next meeting in the facility. Lets talk about the grasslands.

Rep. Skarpol (4311): We were uncomfortable with the numbers we were given as to the cost/sqft. In most instances when we have dollars committed to any of our research centers, some require a local match. I will support \$250,000 with them match \$100,000 for them to get their \$350,000. I think that is generous.

Sen. Krauter: This center is located in Streeter. They do not have a large population. They cannot raise \$100,000. That is why they were give the \$350,000 in the first place, please keep that in mind.

Rep. Skarpol: I am would be happy to tell Mr. Nyrum where he could get \$60,000. I wanted to go the \$250,000, I can tell him where he can get the \$60,000 of his \$100,000. I do think there needs to be a local contribution to this.

Rep. Carson: I support \$250,000 and the \$100,000 in matching funds.

Sen. Kringstad: I have had conversations with individuals involved and they are requisition that it be at \$300,000.

Rep. Carson: If you look at Minot State with Thatcher Hall, it was never included in the executive budget, you added it. It was 2.5 million dollars worth. The central grasslands was not included in the Governors budget, you added it. If the historical society's was as important as you say it is, it was not in the executive budget it was not a priority project. Years ago, we would have paid for things instead of bonding. I have concerns that it is easier to bond than it is to get the money to pay for it. I think we are creating a big problem.

Sen. Kringstad: Just to clarify, we had a change to remodel Thatcher Hall and Old Main. Thatcher Hall was the most economical. Also a private group was interested in remodeling Old Main.

Rep. Carson: That was a maybe, as I understand it.

Sen. Kringstad: It will be done this year.

Rep. Carson: Was the remodeling of 1.9 in the Governor's proposal for bonding?

Sen. Kringstad: No,

Rep. Carson: Either way there no project in there.

Sen. Kringstad: Right.

Rep. Skarpol: With regard to Thatcher Hall, in the Senate was there any discussion of a potential local match there?

Sen. Kringstad: I don't recall, No.

Page 6

Senate Appropriations Committee

Bill/Resolution Number **SB 2023**

Hearing Date **04/06/05**

Rep. Skarpol: The reason that that was discussed on the House side is that we have gone beyond the level that was recommended by the Governor. That seems to be our guideline whether we like it or not. If we do that we justify it was a sales tax revenue. We need to keep in mind that we should pay for some of the things on the list that we are having trouble deciding what to do with them.

Sen. Kringstad closed meeting, and will reschedule the next for the Heritage Center.

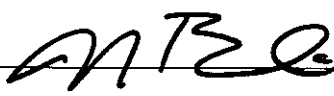
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2023

Senate Appropriations Committee

☒ Conference Committee

Hearing Date 04/11/05

Tape Number	Side A	Side B	Meter #
4	x		0-1907
Committee Clerk Signature 			

Minutes:

Sen. Kringstad (Conference Committee Chair) opened meeting of SB 2023.

Roll was taken, all members were present.

Sen. Kringstad: Let's talk about section 6.

Rep. Carlson (120) explained section 6 and the reasoning behind it. Stating that the architects brought the language to them.

Sen. Kringstad: Okay, we will leave that alone. We want money for the Heritage Center put back in, did you come to any conclusion about that?

Rep. Carlson: Let's leave that as the last item we talk about. Why don't we go over the other sections first. Let's talk about Central Grasslands.

Sen. Kringstad: We would like to see something done about the central grasslands. The House took out \$350,000 and the Senate would like to see at least \$250,000 for the central grasslands.

Rep. Skarpol: I said last time that we could do \$250,000 with the match.

Sen. Krauter: Who is willing to add the additional \$60,000?

Rep. Skarpol: The director or the research center, Dr.. Grafton said the \$60,000 can come out of his budget.

Rep. Carlson: I am okay with that.

Rep. Skarpol: We also want local matching funds.

Sen. Krauter: I am looking at the report we were given from higher ed., regarding the grasslands. Other funds are \$60,000, from the state \$250,00 which will equal \$310,000. In the bill the amount is \$350,000, how did this happen?

Jerry: That number was an estimate, the Senate decided that the \$350,00 made more sense.

Sen. Kringstad: I am okay with \$240,000.

Rep. Skarpol: We need language regarding the local match and spending authority.

Sen. Kringstad (840): So \$20,000 for the match to get the \$60,000 with spending authority up to \$350,000.

Carlene Fine: We could only bond for the \$250,000.

Rep. Skarpol: OK let me get this strait, The \$20,000 match to the \$60,000 to equal \$80,000. With \$250,000 from bonding and enough spending authority for \$350,000.

Sen. Krauter: I think we should bond for \$270,000 not \$250,000.

Sen. Krauter motioned for the \$270,000 with the \$60,000 from Dr. Grafton and the local match of \$20,000 for the \$80,000. Which would equal \$350,000. Seconded by Sen.

Grindberg. Recorded vote was taken, motion passed.

Rep. Skarpol: Regarding MSU Bottineau that would be a first also that we are not requiring a local match.

Sen. Kringstad: Old main was in real bad shape and there is a possible group of people who will renovate it. There is also a shortage of classroom space, we could build and use Old Main, then move over when the building is done. They are also looking to have their library on one floor also.

Rep. Skarpol: I want a local match, I am afraid that we will be setting a precedence if there is none required.

Sen. Kringstad (1470): I understand where you are coming from.

Sen. Krauter: I need to look deeper into that subject before we decide anything.

Rep. Carlson (1618): Where did the cost estimates for the Heritage Center come from?

Sen. Krauter: The Heritage Center provided them.

Merl Pavenruud: They were prepared by an outside architectural firm.

Rep. Carlson: I am a problem with that because there is no competitive bidding, we allow for the cost and the bid is always as much as we allow for. I don't like the way our system is set up.

Sen. Grindberg: I feel sort of the same way, that is the reason we took out \$300,000.

Sen. Kringstad adjourned meeting.

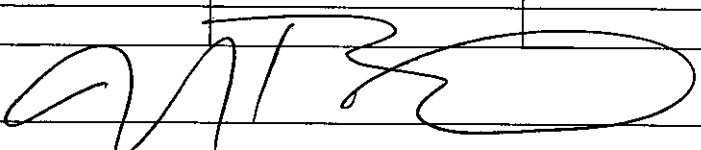
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2023

Senate Appropriations Committee

☒ Conference Committee

Hearing Date 04-13-05

Tape Number	Side A	Side B	Meter #
1	x		1257-3428
Committee Clerk Signature 			

Minutes: **Sen. Kringstad (Conference Committee Chair)** opened the hearing on SB 2023.

Roll was taken, all members were present.

Sen. Kringstad: Last time we met there was some discussion on the importance of saving news papers, and whether or not they should be on micro film. I have some hand outs that many of you will recognize. (Sen. Kringstad gave the committee copies of their wedding announcements that we printed in various news papers throughout the state.) I have another handout. This is a summary of why the expansion of the archives needs to be completed, appendix I.

Rep. Carlson (1900): Are we in agreement in everything but the Heritage Center?

Sen. Kringstad: Yes.

Rep. Skarpol: I want to talk about the handout the legislative council provided regarding required local matches for projects over the years.

Stephanie Johnson, Legislative Council (2043), stated that both Valley City and Mayville State had projects that were done without matching funds.

Rep. Skarpol: Are we talking bricks and mortar?

Ms. Johnson: There was 4 million given to Minot State, yes.

Sen. Kringstad (2224): Are there any other questions?

Rep. Carlson: Old Maine is a concern for me because there is no local match required and because there are no requirement for the to do anything with the building as it sits. I am afraid that we will build a new building and then be asked for the funds to repair Old Maine.

Sen. Kringstad: Maybe we should put in an amendment dealing with that.

Rep. Skarpol (2443): I have some hand outs. The first one is a diagram (appendix II) the colored portion is the archives area. I believe that is can be expanded two floor higher.

Sen. Kringstad: Yes, but \$10,000 sqft vs. 32,000 sqft. Also what would you do when they do this adding on, they would have to shut down the building.

Rep. Skarpol: My point is that we haven't existed all the avenues.

Rep. Carlson (2821): I believe you would not have to tear the roof off. I think you can build on top of it. I agree with Rep. Skarpol.

Rep. Glassheim (2931): Can we ask Mr. Pavenruud to tell us if they considered this option?

Merl Pavenruud (3025): This was one of the options we looked at. The structural engineer we had looking at this said they could only do one floor. That would mean us vacating the building for up to 2 years. We honestly do not want to come back in 10 and ask for money again.

Expanding to the south is the best decision.

Sen. Kringstad: Could we get information on how much it would cost and the structural engineers opinion?

Page 3

Senate Appropriations Committee

Bill/Resolution Number **SB 2023**

Hearing Date **04-13-05**

Rep. Skarpol: We want to talk to Mr. Barsness (the original architect to build the Heritage Center). Could you also include the costs to add to more levels to the building?

Mr. Pavenruud: Yes.

Sen. Kringstad adjourned the meeting.

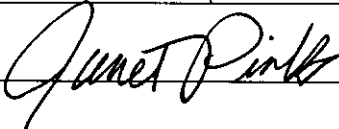
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2023

Senate Appropriations Committee

☒ Conference Committee

Hearing Date April 19, 2005

Tape Number	Side A	Side B	Meter #
1	a		1234 - 3200
Committee Clerk Signature 			

Minutes:

Senator Kringstad opened the conference committee on SB 2023 with roll call. Stephanie Johnson was asked to review what had transpired thus far on SB 2023.

Senator Kringstad asked if there was an amendment for Bottineau about them not coming back to the state for further revenue for Old Main and the renovation there would be conducted by a private group.

Senator Krauter moved the amendment .0206 be approved, **Senator Grindberg** seconded.

Discussion took place. A roll call vote was taken and the motion carried.

Senator Kringstad moved to put Heritage Center back in the bill, **Senator Krauter** seconded. A roll call vote was taken and the motion failed.

Senator Kringstad asked that we approve putting the Heritage Center back on the floor and allow the whole body to vote.

Page 2

Senate Appropriations Committee

Bill/Resolution Number 2023

Hearing Date April 19, 2005

Senator Carlson moved that \$442,560 be added for funding of another bank of compact storage in the archives area. Senator Skarphol seconded. Discussion followed about the pros and cons of building today for a storage facility, utilizing existing space to maximum, a comprehensive study of the current facility and future plans.

Senator Kringstad indicated he wanted to visit with the leadership before taking a vote on this.

He then closed the conference committee discussion.

Senator Carlson moved to add compact storage to the bill. Senator Skarphol seconded.

Discussion followed.

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2023

Senate Appropriations Committee

☒ Conference Committee

Hearing Date April 19, 2005

Tape Number	Side A	Side B	Meter #
0	a		0 - 375
Committee Clerk Signature <i>Janet Parks</i>			

Minutes:

Senator Kringstad opened the conference committee with roll call.

A motion was made to add \$442,560 from the general fund. The motion was seconded. A roll call vote was taken and motion was defeated.

Senator Kringstad requested that the House allow its membership to vote on the Heritage Center.

Representative Carlson indicated the House had not changed its position and having them vote on it would not change anything.

Discussion ensued about building up on the facility or building a new unit for archives, turning the Heritage Center into office space, the architects comments on that being a bad idea and it was discussed that the House should be given the opportunity to vote on the Heritage Center.

There being no further discussion **Senator Kringstad** closed the conference committee on SB

~~2021.~~
2023

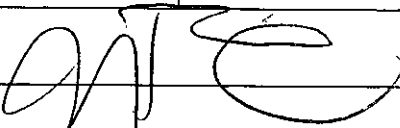
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2023

Senate Appropriations Committee

☒ Conference Committee

Hearing Date **04-20-05**

Tape Number	Side A	Side B	Meter #
2		x	0-1712
Committee Clerk Signature 			

Minutes: **Sen. Kringstad, (Conference Committee Chair)** opened the meeting of SB 2023.

Sen. Krauter: I would like to request information on studies regarding the state historical society's archive storage and the possibility of storage off campus.

Rep. Carlson: If we have 20,000 sqft that would cost about 1.2 million. It would have tall side walls and lots of space. I feel that the investment would be returned if we decide to sell it, it will also be heated and air conditioned.

Rep. Carlson motioned for an off site storage facility to be paid with 1.2 million in bonding.

Rep. Carlson: I also believe there needs to be more legislative involvement in planning and office space to be included in this language.

Rep. Skarpol: I would rather see compact storage Vs off-site storage.

Rep. Carlson motioned for \$1.2 million in bonding for an off-site building and language to include more legislative involvement in planning and office space.

Rep. Skarpol: Also include language regarding the bidding process.

Sen. Kringstad: Also include the \$442,000 in the previous motion.

Rep. Skarpol: I think that is duplicative.

Sen. Krauter: What is the motion? Rep. Carlson, does it include shelving and equipment that is needed in the building?

Rep. Carlson: I am giving you a building figure.

Sen. Krauter: So this would include the purchase of the land, to build the building and furnish is with shelves, forklifts virtually everything. For us to build a different building is a bad idea and it is not been well thought out.

Sen. Kringstad: Mr. Pavaruud, what is the current situation for storage?

Merl Pavaruud: We have a Quonset hut at Ft. Lincoln, the roof leaks. Regarding the off site building we also would need security and the proper warning systems for fires and theft.

Rep. Carlson: It is easy and expensive to add those.

Sen. Kringstad: Do you currently own those buildings.

Mr. Pavaruud: The building at Ft. Lincoln is owned by the State Parks. The building on Highway 10 is owned by the State.

Rep. Glassheim: We need to remember that the current plan for the addition would not just be storage, it would be in a layout that would be assessable to researchers and the public.

Mr. Pavaruud: Thank you, we want to be able to have access to it, right now we go to our off site buildings about once a week and gather artifacts.

Rep. Glassheim: What is the type of staff needed?

Rep. Skarpol: How much compact storage would the current facility be capable of storing?

Page 3

Senate Appropriations Committee

Bill/Resolution Number **SB 2023**

Hearing Date **04-20-05**

Mr. Pavaruud: The number I sent you would fill up the third floor. In the artifacts area about the same amount. We would have 1/3 more than we have original, example being that 1,000 liner feet/ year, so 10,000 sqft would equal 10 years.

Sen. Kringstad: Thank you very much, there has not been a second for the motion.

Sen. Kringstad adjourned the meeting.

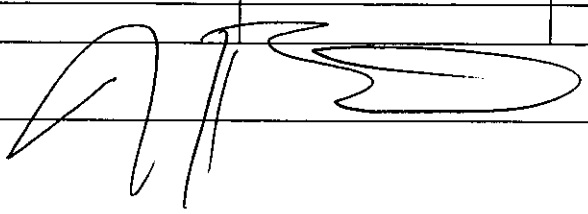
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2023

Senate Appropriations Committee

☒ Conference Committee

Hearing Date 04-20-05

Tape Number	Side A	Side B	Meter #
2	x		0-1423
Committee Clerk Signature 			

Minutes:

Sen. Kringstad, (Conference Committee Chair) opened the meeting.

Roll was taken, all members were present.

Sen. Grindberg: What about a match for this project? To reduce the bonding for the project.

Rep. Carlson: What kind of match?

Sen. Grindberg: 3 or \$400,000 to reduce the bonding by 5.1 million.

Rep. Carlson: My opposition is not about the money, it is that there needs to be a longer plan.

It is an expensive storage facility. We had a good proposal yesterday, the off site storage facility.

Rep. Skarpol: I'd like to see the study done. Let's look at the options, we could do a compact storage to by the Heritage Center some time.

Rep. Carlson: An off-site would be \$1.2 million, on site would cost \$5.1 million. Our amendments are on the bill, the Senate can kill it or accept it.

Sen. Kringstad (486): Regarding the study, would it still change to offices?

Rep. Carlson: I would be open to anything they come up with. We need to look at long range goals.

Rep. Glassheim (670): Not only storage, but the accessibility of the historical information and other artifacts. We need to let the people have access to it.

Sen. Grindberg (750): If we are serious about the needs for the state, we need to halt the Bank of North Dakota program.

Rep. Skarpol: I agree, we ought to halt, but the House has been made aware of other money from SB 2014.

Rep. Carlson: I don't like bonding, as a practice for the State. When is it going to stop?

Sen. Grindberg: The Senate has discussed that issue.

Rep. Carlson: We could do the storage for cash. We are not against the Heritage center, but we need to look at the long range goal longer. We want to do the right thing.

Sen. Krauter (1115): What about the capitol grounds planning commission? How about putting the Bank of ND on the capitol grounds. The Heritage Center is not going away.

Rep. Carlson: Well, the House isn't happy about Bottineau, because they can't provide our match.

Rep. Skarpol: There is a problem with how the bidding process is done. If you allow 5 million for a project, it will get bid at that price, even if it really will only cost 4 million dollars.

Sen. Kringstad adjourned the meeting.

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2023

Senate Appropriations Committee

☒ Conference Committee

Hearing Date April 21, 2005

Tape Number	Side A	Side B	Meter #
4	a		1877 - 3195
Committee Clerk Signature <i>Janet D. Parks</i>			

Minutes:

Senator Kringstad called the conference committee to order on SB 2023 with roll call. He indicated that when we left the last meeting, there was a motion on the floor which had no second at that time.

Senator Skarphol presented two amendments, one for bonding of \$1.2 million for building of a storage facility for the archives off site or for \$900,000 for completion of two floors of compact storage. The option would be one or the other of those two options. Discussion was held on these options, including Mr. Paverud in the conversation, and the March forecast.

A roll call vote was taken on this proposal resulting in 4 no and 2 yes. The motion did not carry.

Senator Glassheim indicated he believed that the full House would pass the \$5 million. He felt that was the only way to get any movement.

Senator Krauter moved that the House recede from its amendment and further adopt all of the amendments we agree on plus the \$5.5 million for the construction at the heritage center.

Page 2

Senate Appropriations Committee

Bill/Resolution Number 2023

Hearing Date April 21, 2005

Representative Glassheim seconded. No discussion. A roll call vote was taken resulting in 4 yes and 2 no.

Representative Carlson moved that the conference committee be dissolved and require the Senate to take the bill to the floor and vote it up or down. Representative Skarphol seconded. A roll call vote was taken resulting in 4 no and 2 yes. The motion failed.

Senator Kringstad closed the conference committee on SB 2023.

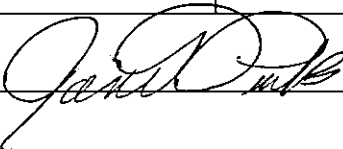
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2023

Senate Appropriations Committee

☒ Conference Committee

Hearing Date April 22, 2005

Tape Number	Side A	Side B	Meter #
1	a	b	5810 - 613
Committee Clerk Signature 			

Minutes:

Senator Kringstad called the conference committee discussion on SB 2023 to order with roll call.

Representative Glassheim distributed amendment .0209, describing what was included in the amendment. He stated all of the amendments the committee agreed to are in it and he added at the bottom of page 1, section 6 requesting a short study with new language and reducing the budget. Section 7 authorizes the \$5.5 million for the building which may only be released by the budget section after their receipt of the study and they would have authority to release or not release funds.

Representative Glassheim moved a do pass on amendment .0209, **Senator Krautuer** seconded, discussion ensued. A roll call vote was taken resulting in 5 no and 1 yes, the motion failed.

Page 2

Senate Appropriations Committee

Bill/Resolution Number 2023

Hearing Date April 22, 2005

Senator Grindberg indicated that to move off dead center he motioned to accept the house version of the amendment with a legislative intent statement and changing the research center we agreed to. Representative Carlson seconded. A roll call vote was taken resulting in 4 yes and 2 no. The motion carried.

Senator Kringstad closed the conference committee discussion.

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2023

Senate Appropriations Committee

☒ Conference Committee

Hearing Date April 23, 2005

Tape Number	Side A	Side B	Meter #
1	a		650 - 985
Committee Clerk Signature <i>Janet D. Parks</i>			

Minutes:

Senator Kringstad opened the conference committee at 10:50 am on April 23 beginning with roll call.

Representative Carlson indicated he had three motions. He moved to pass SB 2023 with the changes made by the house plus \$884,000 for compact storage. **Representative Skarphol** seconded. A roll call vote was taken, the motion failed.

Representative Carlson moved to pass SB 2023 accepting further amendments to include \$1.2 million bonding for off site storage. **Representative Skarphol** seconded. A roll call vote was taken. The motion failed.

Representative Carlson moved to dissolve the conference committee as there is not agreement. **Representative Skarphol** seconded. A roll call vote was taken resulting in 4 no 2 yes, the motion failed.

Page 2

Senate Appropriations Committee

Bill/Resolution Number 2023

Hearing Date April 23, 2005

Representative Carlson indicated he believe this passed because it only takes a two third vote on the part of the conference committee to make the motion pass. Any further consideration is left up to the Senate.

Senator Kringstad adjourned the conference committee at 10:55 am.

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2023

Senate ~~Appropriations~~ Committee

☒ Conference Committee

Hearing Date April 23, 2005

Tape Number	Side A	Side B	Meter #
1	a		0 - 192
Committee Clerk Signature			

Minutes:

Senator Kringstad opened the conference committee on SB 2023 with roll call. Senator Skarphol was absent. He indicated the Senate rejected the conference committee recommendation by 44 to 1.

Senator Grindberg motioned that the House take the bill to the House to see how they vote.

Senator Krauter seconded. Discussion followed.

Representative Glassheim felt this should be taken to the House to get a feel for their thoughts.

A roll call vote was taken resulting in 4 yes one no one absent.

Senator Kringstad closed the conference committee hearing on SB 2023.

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2023

Senate Appropriations Committee

☒ Conference Committee

Hearing Date April 23, 2005

Tape Number	Side A	Side B	Meter #
1	a		989 - 1195
Committee Clerk Signature			

Minutes:

Senator Kringstad opened the conference committee on SB 2023 with roll vote.

Senator Grindberg motioned that all amendments including the Heritage Center be considered a DO PAS, **Senator Krauter** seconded.

Discussion continued as to proper protocol for reconvening the conference committee after the House had disbanded from their side.

The vote continued resulting in 6 yes. The motion carried and Senator Kringstad will carry the bill.

Senator Kringstad closed the discussion.

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2023

That the House recede from its amendments as printed on pages 1154-1158 of the Senate Journal and pages 1363-1366 of the House Journal and that Engrossed Senate Bill No. 2023 be amended as follows:

Page 1, line 4, after "projects" insert "; to provide a statement of legislative intent"

Page 4, after line 2, insert:

"SECTION 4. LEGISLATIVE INTENT - OLD MAIN RENOVATION. It is the intent of the fifty-ninth legislative assembly that no state funding be used for any renovation projects of old main at Minot state university - Bottineau."

Renumber accordingly

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2023

That the House recede from its amendments as printed on pages 1154-1158 of the Senate Journal and pages 1363-1366 of the House Journal and that Engrossed Senate Bill No. 2023 be amended as follows:

Page 1, line 4, after "projects" insert "; to provide a statement of legislative intent" and after "study" insert "; to provide for a report to the budget section; to provide an appropriation; to amend and reenact section 48-01.1-09 of the North Dakota Century Code, relating to the use of a construction manager"

Page 1, line 20, replace "3,500,000" with "3,632,691"

Page 1, line 21, replace "3,300,000" with "3,500,000"

Page 2, line 7, replace "350,000" with "270,000"

Page 2, line 13, replace "28,595,557" with "28,848,248"

Page 2, after line 19, insert:

"The central grasslands research extension center may obtain and utilize federal and other funds to assist in the construction of an office addition at the central grasslands research extension center. There is appropriated to the central grasslands research extension center the sum of \$80,000, or so much of the sum as may be necessary, from any federal acts, private grants, gifts and donations, or other funds that may become available for this project for the period beginning with the effective date of this Act and ending June 30, 2007."

Page 3, line 11, replace "35,895,557" with "36,228,248"

Page 4, after line 2, insert:

"SECTION 4. LEGISLATIVE INTENT - OLD MAIN RENOVATION. It is the intent of the fifty-ninth legislative assembly that no state funding be used for any renovation projects of old main at Minot state university - Bottineau."

Page 4, line 4, remove "- HERITAGE CENTER"

Page 4, line 7, remove "This study must include the long-term needs of the North Dakota heritage center."

Page 4, after line 9, insert:

"SECTION 6. APPROPRIATION - HERITAGE CENTER STUDY. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$100,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of conducting a study regarding an

expanded heritage center, including archive storage, exhibit area, and all other such spaces necessary to complete the facility as outlined in the North Dakota state capitol complex master plan dated December 14, 2000. The study also must examine minimal, optimum, and average costs and designs for archival use and storage and an alternate location for a comparable replacement facility on the capitol grounds taking into account the cost to retrofit the existing heritage center and long-range plans for the capitol grounds. The office of management and budget shall present the results of the study to the budget section at its fall 2005 meeting.

SECTION 7. HERITAGE CENTER EXPANSION BOND ISSUANCE - BUDGET SECTION APPROVAL. The industrial commission, acting as the North Dakota building authority, may only issue evidences of indebtedness for the historical society and heritage center research collections expansion after approval by the budget section at its fall 2005 meeting.

SECTION 8. AMENDMENT. Section 48-01.1-09 of the North Dakota Century Code is amended and reenacted as follows:

48-01.1-09. Use of construction manager. If a governing body uses a construction manager on a public improvement, the construction manager must be a licensed contractor. The architect awarded the design contract and the construction manager awarded the construction management contract for a public improvement shall carry out their contractual duties as agents to the public improvement entity. The architect and construction manager may not construct any portion of the public improvement and may not contract with any contractor or subcontractor to construct any portion of the work. The construction manager awarded the contract for ~~construction of~~ a public improvement shall bond the entire cost of the project through a single bond; or through bonds provided by all bid packages and the construction manager's bond for the full amount of the construction manager's services. If the total of the bonds is less than the total project bid, the construction manager shall bond the difference between the total of the bonds and the total project bid."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2023 - Summary of Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Office of Management and Budget						
Total all funds	\$3,155,000	\$3,155,000	\$100,000	\$3,255,000	\$3,305,000	(\$50,000)
Less estimated income	<u>3,155,000</u>	<u>3,155,000</u>		<u>3,155,000</u>	<u>3,155,000</u>	
General fund	\$0	\$0	\$100,000	\$100,000	\$150,000	(\$50,000)
Attorney General						
Total all funds	\$3,632,691	\$3,500,000	\$132,691	\$3,632,691	\$3,632,691	\$0
Less estimated income	<u>3,632,691</u>	<u>3,500,000</u>	<u>132,691</u>	<u>3,632,691</u>	<u>3,632,691</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
University of North Dakota						
Total all funds	\$2,331,554	\$2,331,554	\$0	\$2,331,554	\$2,331,554	\$0
Less estimated income	<u>2,331,554</u>	<u>2,331,554</u>		<u>2,331,554</u>	<u>2,331,554</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
North Dakota State University						
Total all funds	\$3,500,000	\$3,300,000	\$200,000	\$3,500,000	\$3,500,000	\$0
Less estimated income	<u>3,500,000</u>	<u>3,300,000</u>	<u>200,000</u>	<u>3,500,000</u>	<u>3,500,000</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0

State College of Science						
Total all funds	\$736,000	\$736,000	\$0	\$736,000	\$736,000	\$0
Less estimated income	<u>736,000</u>	<u>736,000</u>		<u>736,000</u>	<u>736,000</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Dickinson State University						
Total all funds	\$4,100,557	\$4,100,557	\$0	\$4,100,557	\$4,100,557	\$0
Less estimated income	<u>4,100,557</u>	<u>4,100,557</u>		<u>4,100,557</u>	<u>4,100,557</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Minot State University - Bottineau						
Total all funds	\$0	\$2,500,000	\$0	\$2,500,000	\$2,500,000	\$0
Less estimated income		<u>2,500,000</u>		<u>2,500,000</u>	<u>2,500,000</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Department of Human Services						
Total all funds	\$455,000	\$0	\$0	\$0	\$0	\$0
Less estimated income	<u>455,000</u>					
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Department of Corrections and Rehabilitation						
Total all funds	\$3,586,510	\$1,564,000	\$0	\$1,564,000	\$1,564,000	\$0
Less estimated income	<u>3,586,510</u>	<u>1,564,000</u>		<u>1,564,000</u>	<u>1,564,000</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Branch Research Centers						
Total all funds	\$1,320,000	\$2,040,000	\$0	\$2,040,000	\$1,690,000	\$350,000
Less estimated income	<u>1,320,000</u>	<u>2,040,000</u>		<u>2,040,000</u>	<u>1,690,000</u>	<u>350,000</u>
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Main Research Station						
Total all funds	\$4,500,000	\$7,000,000	\$0	\$7,000,000	\$7,000,000	\$0
Less estimated income	<u>4,500,000</u>	<u>7,000,000</u>		<u>7,000,000</u>	<u>7,000,000</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
State Historical Society						
Total all funds	\$1,600,000	\$7,300,000	\$0	\$7,300,000	\$1,600,000	\$5,700,000
Less estimated income	<u>1,600,000</u>	<u>7,300,000</u>		<u>7,300,000</u>	<u>1,600,000</u>	<u>5,700,000</u>
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Parks and Recreation Department						
Total all funds	\$700,000	\$700,000	\$0	\$700,000	\$700,000	\$0
Less estimated income	<u>700,000</u>	<u>700,000</u>		<u>700,000</u>	<u>700,000</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Bill Total						
Total all funds	\$29,617,312	\$38,227,111	\$432,691	\$38,659,802	\$32,659,802	\$6,000,000
Less estimated income	<u>29,617,312</u>	<u>38,227,111</u>	<u>332,691</u>	<u>38,559,802</u>	<u>32,509,802</u>	<u>6,050,000</u>
General fund	\$0	\$0	\$100,000	\$100,000	\$150,000	(\$50,000)

Senate Bill No. 2023 - Office of Management and Budget - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Operating expenses						
Capital assets	\$3,155,000	\$3,155,000	\$100,000	\$100,000	\$150,000	(\$50,000)
Total all funds	\$3,155,000	\$3,155,000	\$100,000	\$3,255,000	\$3,305,000	(\$50,000)
Less estimated income	<u>3,155,000</u>	<u>3,155,000</u>		<u>3,155,000</u>	<u>3,155,000</u>	
General fund	\$0	\$0	\$100,000	\$100,000	\$150,000	(\$50,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Dept. 110 - Office of Management and Budget - Detail of Conference Committee Changes

	PROVIDES FUNDING FOR A STUDY OF EXPANDING THE HERITAGE CENTER ¹	TOTAL CONFERENCE COMMITTEE CHANGES
Operating expenses	\$100,000	\$100,000
Capital assets		
Total all funds	\$100,000	\$100,000
Less estimated income		
General fund	\$100,000	\$100,000
FTE	0.00	0.00

1 This amendment provides a \$100,000 general fund appropriation to the Office of Management and Budget for the purpose of conducting a study regarding an expansion of the Heritage Center and to provide a report to the fall 2005 Budget Section meeting. The House version provided \$150,000 for an interim study.

Senate Bill No. 2023 - Attorney General - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Capital assets	<u>\$3,632,691</u>	<u>\$3,500,000</u>	<u>\$132,691</u>	<u>\$3,632,691</u>	<u>\$3,632,691</u>	
Total all funds	\$3,632,691	\$3,500,000	\$132,691	\$3,632,691	\$3,632,691	\$0
Less estimated income	<u>3,632,691</u>	<u>3,500,000</u>	<u>132,691</u>	<u>3,632,691</u>	<u>3,632,691</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Dept. 125 - Attorney General - Detail of Conference Committee Changes

	RESTORES FUNDING FOR CRIME LAB ADDITION AND RENOVATION ¹	TOTAL CONFERENCE COMMITTEE CHANGES
Capital assets	<u>\$132,691</u>	<u>\$132,691</u>
Total all funds	\$132,691	\$132,691
Less estimated income	<u>132,691</u>	<u>132,691</u>
General fund	\$0	\$0
FTE	0.00	0.00

1 This amendment fully restores funding for the crime lab addition and renovation to \$3,632,691, the same as the House version.

Senate Bill No. 2023 - University of North Dakota - Conference Committee Action

The conference committee did not change the House or Senate version for the University of North Dakota.

Senate Bill No. 2023 - North Dakota State University - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Capital assets	<u>\$3,500,000</u>	<u>\$3,300,000</u>	<u>\$200,000</u>	<u>\$3,500,000</u>	<u>\$3,500,000</u>	
Total all funds	\$3,500,000	\$3,300,000	\$200,000	\$3,500,000	\$3,500,000	\$0
Less estimated income	<u>3,500,000</u>	<u>3,300,000</u>	<u>200,000</u>	<u>3,500,000</u>	<u>3,500,000</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Dept. 235 - North Dakota State University - Detail of Conference Committee Changes

	RESTORES FUNDING FOR HAZARDOUS MATERIAL HANDLING AND STORAGE FACILITY ¹	TOTAL CONFERENCE COMMITTEE CHANGES
Capital assets	<u>\$200,000</u>	<u>\$200,000</u>
Total all funds	\$200,000	\$200,000
Less estimated income	<u>200,000</u>	<u>200,000</u>
General fund	\$0	\$0
FTE	0.00	0.00

1 This amendment fully restores funding for the hazardous material handling and storage facility to \$3.5 million, the same as the House version.

Senate Bill No. 2023 - State College of Science - Conference Committee Action

The conference committee did not change the House or Senate version for the State College of Science.

Senate Bill No. 2023 - Dickinson State University - Conference Committee Action

The conference committee did not change the House or Senate version for Dickinson State University.

Senate Bill No. 2023 - Minot State University - Bottineau - Conference Committee Action

The conference committee did not change the House or Senate version for Minot State University - Bottineau Thatcher Hall addition but added a section of legislative intent regarding the renovation of Old Main at Minot State University - Bottineau.

Senate Bill No. 2023 - Department of Human Services - Conference Committee Action

The conference committee did not change the House or Senate version for the Department of Human Services.

Senate Bill No. 2023 - Department of Corrections and Rehabilitation - Conference Committee Action

The conference committee did not change the House or Senate version for the Department of Corrections and Rehabilitation.

Senate Bill No. 2023 - Branch Research Centers - Conference Committee Action

The conference committee provided a total of \$350,000 to the Central Grasslands Research Extension Center for an office addition, with \$270,000 from bonding funds and \$80,000 from federal and other funds. The Senate version provided \$350,000 for the office addition, all from bonding funds, and the House version had removed funding for this project.

Senate Bill No. 2023 - Main Research Station - Conference Committee Action

The conference committee did not change the House or Senate version for the Main Research Station.

Senate Bill No. 2023 - State Historical Society - Conference Committee Action

This amendment adds a section to provide that the bonds for the Historical Society and Heritage Center research collections expansion shall only be issued upon approval by the Budget Section at its fall 2005 meeting.

Senate Bill No. 2023 - Parks and Recreation Department - Conference Committee Action

The conference committee did not change the House or Senate version for the Parks and Recreation Department.

Senate Bill No. 2023 - Other Changes - Conference Committee Action

This amendment also adds a section to amend Section 48-01.1-09 relating to the use of a construction manager, the same as the House version.

REPORT OF CONFERENCE COMMITTEE

SB 2023, as engrossed: Your conference committee (Sens. Kringstad, Grindberg, Krauter and Reps. Carlson, Skarphol, Glassheim) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 1154-1158, adopt amendments as follows, and place SB 2023 on the Seventh order:

That the House recede from its amendments as printed on pages 1154-1158 of the Senate Journal and pages 1363-1366 of the House Journal and that Engrossed Senate Bill No. 2023 be amended as follows:

Page 1, line 4, after "projects" insert "; to provide a statement of legislative intent" and after "study" insert "; to provide an appropriation; to amend and reenact section 48-01.1-09 of the North Dakota Century Code, relating to the use of a construction manager"

Page 1, line 20, replace "3,500,000" with "3,632,691"

Page 1, line 21, replace "3,300,000" with "3,500,000"

Page 2, line 7, replace "350,000" with "270,000"

Page 2, remove lines 10 and 11

Page 2, line 13, replace "28,595,557" with "23,348,248"

Page 2, after line 19, insert:

"The central grasslands research extension center may obtain and utilize federal and other funds to assist in the construction of an office addition at the central grasslands research extension center. There is appropriated to the central grasslands research extension center the sum of \$80,000, or so much of the sum as may be necessary, from any federal acts, private grants, gifts and donations, or other funds that may become available for this project for the period beginning with the effective date of this Act and ending June 30, 2007."

Page 3, remove lines 1 through 5

Page 3, line 11, replace "35,895,557" with "30,528,248"

Page 4, after line 2, insert:

"SECTION 4. LEGISLATIVE INTENT - OLD MAIN RENOVATION. It is the intent of the fifty-ninth legislative assembly that no state funding be used for any renovation projects of old main at Minot state university - Bottineau."

Page 4, line 4, remove "- HERITAGE CENTER"

Page 4, line 7, remove "This study must include the long-term needs of the North Dakota heritage center."

Page 4, after line 9, insert:

"SECTION 6. APPROPRIATION - HERITAGE CENTER STUDY. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$150,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of conducting a study regarding an expanded heritage center, including archive storage, exhibit area, and all other such spaces necessary to complete the facility as outlined in the North Dakota state capitol

complex master plan dated December 14, 2000. The study also must examine an alternate location for a comparable replacement facility on the capitol grounds taking into account the cost to retrofit the existing heritage center and long-range plans for the capitol grounds. The office of management and budget shall present the results of the study to the sixtieth legislative assembly.

SECTION 7. AMENDMENT. Section 48-01.1-09 of the North Dakota Century Code is amended and reenacted as follows:

48-01.1-09. Use of construction manager. If a governing body uses a construction manager on a public improvement, the construction manager must be a licensed contractor. The architect awarded the design contract and the construction manager awarded the construction management contract for a public improvement shall carry out their contractual duties as agents to the public improvement entity. The architect and construction manager may not construct any portion of the public improvement and may not contract with any contractor or subcontractor to construct any portion of the work. The construction manager awarded the contract for ~~construction~~ of a public improvement shall bond the entire cost of the project through a single bond; or through bonds provided by all bid packages and the construction manager's bond for the full amount of the construction manager's services. If the total of the bonds is less than the total project bid, the construction manager shall bond the difference between the total of the bonds and the total project bid."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2023 - Summary of Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Office of Management and Budget						
Total all funds	\$3,155,000	\$3,155,000	\$150,000	\$3,305,000	\$3,305,000	\$0
Less estimated income	<u>3,155,000</u>	<u>3,155,000</u>		<u>3,155,000</u>	<u>3,155,000</u>	
General fund	\$0	\$0	\$150,000	\$150,000	\$150,000	\$0
Attorney General						
Total all funds	\$3,632,691	\$3,500,000	\$132,691	\$3,632,691	\$3,632,691	\$0
Less estimated income	<u>3,632,691</u>	<u>3,500,000</u>	<u>132,691</u>	<u>3,632,691</u>	<u>3,632,691</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
University of North Dakota						
Total all funds	\$2,331,554	\$2,331,554	\$0	\$2,331,554	\$2,331,554	\$0
Less estimated income	<u>2,331,554</u>	<u>2,331,554</u>		<u>2,331,554</u>	<u>2,331,554</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
North Dakota State University						
Total all funds	\$3,500,000	\$3,300,000	\$200,000	\$3,500,000	\$3,500,000	\$0
Less estimated income	<u>3,500,000</u>	<u>3,300,000</u>	<u>200,000</u>	<u>3,500,000</u>	<u>3,500,000</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
State College of Science						
Total all funds	\$736,000	\$736,000	\$0	\$736,000	\$736,000	\$0
Less estimated income	<u>736,000</u>	<u>736,000</u>		<u>736,000</u>	<u>736,000</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Dickinson State University						
Total all funds	\$4,100,557	\$4,100,557	\$0	\$4,100,557	\$4,100,557	\$0
Less estimated income	<u>4,100,557</u>	<u>4,100,557</u>		<u>4,100,557</u>	<u>4,100,557</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Minot State University - Bottineau						
Total all funds	\$0	\$2,500,000	\$0	\$2,500,000	\$2,500,000	\$0
Less estimated income		<u>2,500,000</u>		<u>2,500,000</u>	<u>2,500,000</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0

REPORT OF CONFERENCE COMMITTEE (420)
April 22, 2005 8:57 p.m.

Module No: HR-75-8654

Insert LC: 58023.0210

Department of Human Services						
Total all funds	\$455,000	\$0	\$0	\$0	\$0	\$0
Less estimated income	<u>455,000</u>					
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Department of Corrections and Rehabilitation						
Total all funds	\$3,586,510	\$1,564,000	\$0	\$1,564,000	\$1,564,000	\$0
Less estimated income	<u>3,586,510</u>	<u>1,564,000</u>		<u>1,564,000</u>	<u>1,564,000</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Branch Research Centers						
Total all funds	\$1,320,000	\$2,040,000	\$0	\$2,040,000	\$1,690,000	\$350,000
Less estimated income	<u>1,320,000</u>	<u>2,040,000</u>		<u>2,040,000</u>	<u>1,690,000</u>	<u>350,000</u>
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Main Research Station						
Total all funds	\$4,500,000	\$7,000,000	\$0	\$7,000,000	\$7,000,000	\$0
Less estimated income	<u>4,500,000</u>	<u>7,000,000</u>		<u>7,000,000</u>	<u>7,000,000</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
State Historical Society						
Total all funds	\$1,600,000	\$7,300,000	(\$5,700,000)	\$1,600,000	\$1,600,000	\$0
Less estimated income	<u>1,600,000</u>	<u>7,300,000</u>	<u>(5,700,000)</u>	<u>1,600,000</u>	<u>1,600,000</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Parks and Recreation Department						
Total all funds	\$700,000	\$700,000	\$0	\$700,000	\$700,000	\$0
Less estimated income	<u>700,000</u>	<u>700,000</u>		<u>700,000</u>	<u>700,000</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Bill Total						
Total all funds	\$29,617,312	\$38,227,111	(\$5,217,309)	\$33,009,802	\$32,659,802	\$350,000
Less estimated income	<u>29,617,312</u>	<u>38,227,111</u>	<u>(5,367,309)</u>	<u>32,859,802</u>	<u>32,509,802</u>	<u>350,000</u>
General fund	\$0	\$0	\$150,000	\$150,000	\$150,000	\$0

Senate Bill No. 2023 - Office of Management and Budget - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Operating expenses			\$150,000	\$150,000	\$150,000	
Capital assets	<u>\$3,155,000</u>	<u>\$3,155,000</u>		<u>3,155,000</u>	<u>3,155,000</u>	
Total all funds	\$3,155,000	\$3,155,000	\$150,000	\$3,305,000	\$3,305,000	\$0
Less estimated income	<u>3,155,000</u>	<u>3,155,000</u>		<u>3,155,000</u>	<u>3,155,000</u>	
General fund	\$0	\$0	\$150,000	\$150,000	\$150,000	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Dept. 110 - Office of Management and Budget - Detail of Conference Committee Changes

	PROVIDES FUNDING FOR A STUDY OF EXPANDING THE HERITAGE CENTER ¹	TOTAL CONFERENCE COMMITTEE CHANGES
Operating expenses	\$150,000	\$150,000
Capital assets		
Total all funds	\$150,000	\$150,000
Less estimated income		
General fund	\$150,000	\$150,000
FTE	0.00	0.00

¹ This amendment provides a \$150,000 general fund appropriation to the Office of Management and Budget for the purpose of conducting a study regarding an expansion of the Heritage Center, the same as the House version.

Senate Bill No. 2023 - Attorney General - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Capital assets	<u>\$3,632,691</u>	<u>\$3,500,000</u>	<u>\$132,691</u>	<u>\$3,632,691</u>	<u>\$3,632,691</u>	_____
Total all funds	\$3,632,691	\$3,500,000	\$132,691	\$3,632,691	\$3,632,691	\$0
Less estimated income	<u>3,632,691</u>	<u>3,500,000</u>	<u>132,691</u>	<u>3,632,691</u>	<u>3,632,691</u>	_____
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Dept. 125 - Attorney General - Detail of Conference Committee Changes

	RESTORES FUNDING FOR CRIME LAB ADDITION AND RENOVATION ¹	TOTAL CONFERENCE COMMITTEE CHANGES
Capital assets	<u>\$132,691</u>	<u>\$132,691</u>
Total all funds	\$132,691	\$132,691
Less estimated income	<u>132,691</u>	<u>132,691</u>
General fund	\$0	\$0
FTE	0.00	0.00

¹ This amendment fully restores funding for the crime lab addition and renovation to \$3,632,691, the same as the House version.

Senate Bill No. 2023 - University of North Dakota - Conference Committee Action

The conference committee did not change the House or Senate version for the University of North Dakota.

Senate Bill No. 2023 - North Dakota State University - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Capital assets	<u>\$3,500,000</u>	<u>\$3,300,000</u>	<u>\$200,000</u>	<u>\$3,500,000</u>	<u>\$3,500,000</u>	_____
Total all funds	\$3,500,000	\$3,300,000	\$200,000	\$3,500,000	\$3,500,000	\$0
Less estimated income	<u>3,500,000</u>	<u>3,300,000</u>	<u>200,000</u>	<u>3,500,000</u>	<u>3,500,000</u>	_____
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Dept. 235 - North Dakota State University - Detail of Conference Committee Changes

	RESTORES FUNDING FOR HAZARDOUS MATERIAL HANDLING AND STORAGE	TOTAL CONFERENCE COMMITTEE
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	FACILITY 1	CHANGES
Capital assets	<u>\$200,000</u>	<u>\$200,000</u>
Total all funds	\$200,000	\$200,000
Less estimated income	<u>200,000</u>	<u>200,000</u>
General fund	\$0	\$0
FTE	0.00	0.00

¹ This amendment fully restores funding for the hazardous material handling and storage facility to \$3,500,000, the same as the House version.

Senate Bill No. 2023 - State College of Science - Conference Committee Action

The conference committee did not change the House or Senate version for the State College of Science.

Senate Bill No. 2023 - Dickinson State University - Conference Committee Action

The conference committee did not change the House or Senate version for Dickinson State University.

Senate Bill No. 2023 - Minot State University - Bottineau - Conference Committee Action

The conference committee did not change the House or Senate version for Minot State University - Bottineau Thatcher Hall addition but added a section of legislative intent regarding the renovation of Old Main at Minot State University - Bottineau.

Senate Bill No. 2023 - Department of Human Services - Conference Committee Action

The conference committee did not change the House or Senate version for the Department of Human Services.

Senate Bill No. 2023 - Department of Corrections and Rehabilitation - Conference Committee Action

The conference committee did not change the House or Senate version for the Department of Corrections and Rehabilitation.

Senate Bill No. 2023 - Branch Research Centers - Conference Committee Action

The conference committee provided a total of \$350,000 to the Central Grasslands Research Extension Center for an office addition, with \$270,000 from bonding funds and \$80,000 from federal and other funds. The Senate version provided \$350,000 for the office addition, all from bonding funds, and the House version had removed funding for this project.

Senate Bill No. 2023 - Main Research Station - Conference Committee Action

The conference committee did not change the House or Senate version for the Main Research Station.

Senate Bill No. 2023 - State Historical Society - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Capital assets	<u>\$1,600,000</u>	<u>\$7,300,000</u>	<u>(\$5,700,000)</u>	<u>\$1,600,000</u>	<u>\$1,600,000</u>	
Total all funds	<u>\$1,600,000</u>	<u>\$7,300,000</u>	<u>(\$5,700,000)</u>	<u>\$1,600,000</u>	<u>\$1,600,000</u>	\$0
Less estimated income	<u>1,600,000</u>	<u>7,300,000</u>	<u>(5,700,000)</u>	<u>1,600,000</u>	<u>1,600,000</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Dept. 701 - State Historical Society - Detail of Conference Committee Changes

	REMOVES FUNDING FOR HISTORICAL SOCIETY AND HERITAGE CENTER RESEARCH COLLECTIONS ¹	TOTAL CONFERENCE COMMITTEE CHANGES
Capital assets	<u>(\$5,700,000)</u>	<u>(\$5,700,000)</u>
Total all funds	<u>(\$5,700,000)</u>	<u>(\$5,700,000)</u>
Less estimated income	<u>(5,700,000)</u>	<u>(5,700,000)</u>
General fund	\$0	\$0
FTE	0.00	0.00

¹ This amendment removes funding for the Historical Society and Heritage Center research collections expansion, the same as the House version.

Senate Bill No. 2023 - Parks and Recreation Department - Conference Committee Action

The conference committee did not change the House or Senate version for the Parks and Recreation Department.

Senate Bill No. 2023 - Other Changes - Conference Committee Action

This amendment also adds a section to amend Section 48-01.1-09 relating to the use of a construction manager, the same as the House version.

Engrossed SB 2023 was placed on the Seventh order of business on the calendar.

REPORT OF CONFERENCE COMMITTEE

SB 2023, as engrossed: Your conference committee (Sens. Kringstad, Grindberg, Krauter and Reps. Carlson, Skarphol, Glassheim) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 1154-1158, adopt amendments as follows, and place SB 2023 on the Seventh order:

That the House recede from its amendments as printed on pages 1154-1158 of the Senate Journal and pages 1363-1366 of the House Journal and that Engrossed Senate Bill No. 2023 be amended as follows:

Page 1, line 4, after "projects" insert "; to provide a statement of legislative intent" and after "study" insert "; to provide an appropriation; to amend and reenact section 48-01.1-09 of the North Dakota Century Code, relating to the use of a construction manager"

Page 1, line 20, replace "3,500,000" with "3,632,691"

Page 1, line 21, replace "3,300,000" with "3,500,000"

Page 2, line 7, replace "350,000" with "270,000"

Page 2, line 13, replace "28,595,557" with "28,848,248"

Page 2, after line 19, insert:

"The central grasslands research extension center may obtain and utilize federal and other funds to assist in the construction of an office addition at the central grasslands research extension center. There is appropriated to the central grasslands research extension center the sum of \$80,000, or so much of the sum as may be necessary, from any federal acts, private grants, gifts and donations, or other funds that may become available for this project for the period beginning with the effective date of this Act and ending June 30, 2007."

Page 3, line 11, replace "35,895,557" with "36,228,248"

Page 4, after line 2, insert:

"SECTION 4. LEGISLATIVE INTENT - OLD MAIN RENOVATION. It is the intent of the fifty-ninth legislative assembly that no state funding be used for any renovation projects of old main at Minot state university - Bottineau."

Page 4, line 4, remove "- HERITAGE CENTER"

Page 4, line 7, remove "This study must include the long-term needs of the North Dakota heritage center."

Page 4, after line 9, insert:

"SECTION 6. APPROPRIATION - HERITAGE CENTER STUDY. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$150,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of conducting a study regarding an expanded heritage center, including archive storage, exhibit area, and all other such spaces necessary to complete the facility as outlined in the North Dakota state capitol complex master plan dated December 14, 2000. The study also must examine an alternate location for a comparable replacement facility on the capitol grounds taking into account the cost to retrofit the existing heritage center and long-range plans for the

capitol grounds. The office of management and budget shall present the results of the study to the sixtieth legislative assembly.

SECTION 7. AMENDMENT. Section 48-01.1-09 of the North Dakota Century Code is amended and reenacted as follows:

48-01.1-09. Use of construction manager. If a governing body uses a construction manager on a public improvement, the construction manager must be a licensed contractor. The architect awarded the design contract and the construction manager awarded the construction management contract for a public improvement shall carry out their contractual duties as agents to the public improvement entity. The architect and construction manager may not construct any portion of the public improvement and may not contract with any contractor or subcontractor to construct any portion of the work. The construction manager awarded the contract for ~~construction of~~ a public improvement shall bond the entire cost of the project through a single bond; or through bonds provided by all bid packages and the construction manager's bond for the full amount of the construction manager's services. If the total of the bonds is less than the total project bid, the construction manager shall bond the difference between the total of the bonds and the total project bid."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2023 - Summary of Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Office of Management and Budget						
Total all funds	\$3,155,000	\$3,155,000	\$150,000	\$3,305,000	\$3,305,000	\$0
Less estimated income	3,155,000	3,155,000		3,155,000	3,155,000	
General fund	\$0	\$0	\$150,000	\$150,000	\$150,000	\$0
Attorney General						
Total all funds	\$3,632,691	\$3,500,000	\$132,691	\$3,632,691	\$3,632,691	\$0
Less estimated income	3,632,691	3,500,000	132,691	3,632,691	3,632,691	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
University of North Dakota						
Total all funds	\$2,331,554	\$2,331,554	\$0	\$2,331,554	\$2,331,554	\$0
Less estimated income	2,331,554	2,331,554		2,331,554	2,331,554	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
North Dakota State University						
Total all funds	\$3,500,000	\$3,300,000	\$200,000	\$3,500,000	\$3,500,000	\$0
Less estimated income	3,500,000	3,300,000	200,000	3,500,000	3,500,000	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
State College of Science						
Total all funds	\$736,000	\$736,000	\$0	\$736,000	\$736,000	\$0
Less estimated income	736,000	736,000		736,000	736,000	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Dickinson State University						
Total all funds	\$4,100,557	\$4,100,557	\$0	\$4,100,557	\$4,100,557	\$0
Less estimated income	4,100,557	4,100,557		4,100,557	4,100,557	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Minot State University - Bottineau						
Total all funds	\$0	\$2,500,000	\$0	\$2,500,000	\$2,500,000	\$0
Less estimated income		2,500,000		2,500,000	2,500,000	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Department of Human Services						
Total all funds	\$455,000	\$0	\$0	\$0	\$0	\$0
Less estimated income	455,000					

REPORT OF CONFERENCE COMMITTEE (420)
April 23, 2005 5:33 p.m.

Module No: SR-76-8733

Insert LC: 58023.0211

General fund	\$0	\$0	\$0	\$0	\$0	\$0
Department of Corrections and Rehabilitation						
Total all funds	\$3,586,510	\$1,564,000	\$0	\$1,564,000	\$1,564,000	\$0
Less estimated income	<u>3,586,510</u>	<u>1,564,000</u>		<u>1,564,000</u>	<u>1,564,000</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Branch Research Centers						
Total all funds	\$1,320,000	\$2,040,000	\$0	\$2,040,000	\$1,690,000	\$350,000
Less estimated income	<u>1,320,000</u>	<u>2,040,000</u>		<u>2,040,000</u>	<u>1,690,000</u>	<u>350,000</u>
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Main Research Station						
Total all funds	\$4,500,000	\$7,000,000	\$0	\$7,000,000	\$7,000,000	\$0
Less estimated income	<u>4,500,000</u>	<u>7,000,000</u>		<u>7,000,000</u>	<u>7,000,000</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
State Historical Society						
Total all funds	\$1,600,000	\$7,300,000	\$0	\$7,300,000	\$1,600,000	\$5,700,000
Less estimated income	<u>1,600,000</u>	<u>7,300,000</u>		<u>7,300,000</u>	<u>1,600,000</u>	<u>5,700,000</u>
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Parks and Recreation Department						
Total all funds	\$700,000	\$700,000	\$0	\$700,000	\$700,000	\$0
Less estimated income	<u>700,000</u>	<u>700,000</u>		<u>700,000</u>	<u>700,000</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
Bill Total						
Total all funds	\$29,617,312	\$38,227,111	\$482,691	\$38,709,802	\$32,659,802	\$6,050,000
Less estimated income	<u>29,617,312</u>	<u>38,227,111</u>	<u>332,691</u>	<u>38,559,802</u>	<u>32,509,802</u>	<u>6,050,000</u>
General fund	\$0	\$0	\$150,000	\$150,000	\$150,000	\$0

Senate Bill No. 2023 - Office of Management and Budget - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Operating expenses			\$150,000	\$150,000	\$150,000	
Capital assets	<u>\$3,155,000</u>	<u>\$3,155,000</u>		<u>3,155,000</u>	<u>3,155,000</u>	
Total all funds	\$3,155,000	\$3,155,000	\$150,000	\$3,305,000	\$3,305,000	\$0
Less estimated income	<u>3,155,000</u>	<u>3,155,000</u>		<u>3,155,000</u>	<u>3,155,000</u>	
General fund	\$0	\$0	\$150,000	\$150,000	\$150,000	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Dept. 110 - Office of Management and Budget - Detail of Conference Committee Changes

	PROVIDES FUNDING FOR A STUDY OF EXPANDING THE HERITAGE CENTER ¹	TOTAL CONFERENCE COMMITTEE CHANGES
Operating expenses	\$150,000	\$150,000
Capital assets		
Total all funds	\$150,000	\$150,000
Less estimated income		
General fund	\$150,000	\$150,000
FTE	0.00	0.00

¹ This amendment provides a \$150,000 general fund appropriation to the Office of Management and Budget for the purpose of conducting a study regarding an expansion of the Heritage Center, the same as the House version.

Senate Bill No. 2023 - Attorney General - Conference Committee Action

REPORT OF CONFERENCE COMMITTEE (420)
April 23, 2005 5:33 p.m.

Module No: SR-76-8733

Insert LC: 58023.0211

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Capital assets	<u>\$3,632,691</u>	<u>\$3,500,000</u>	<u>\$132,691</u>	<u>\$3,632,691</u>	<u>\$3,632,691</u>	
Total all funds	\$3,632,691	\$3,500,000	\$132,691	\$3,632,691	\$3,632,691	\$0
Less estimated income	<u>3,632,691</u>	<u>3,500,000</u>	<u>132,691</u>	<u>3,632,691</u>	<u>3,632,691</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Dept. 125 - Attorney General - Detail of Conference Committee Changes

	RESTORES FUNDING FOR CRIME LAB ADDITION AND RENOVATION ¹	TOTAL CONFERENCE COMMITTEE CHANGES
Capital assets	<u>\$132,691</u>	<u>\$132,691</u>
Total all funds	\$132,691	\$132,691
Less estimated income	<u>132,691</u>	<u>132,691</u>
General fund	\$0	\$0
FTE	0.00	0.00

¹ This amendment fully restores funding for the crime lab addition and renovation to \$3,632,691, the same as the House version.

Senate Bill No. 2023 - University of North Dakota - Conference Committee Action

The conference committee did not change the House or Senate version for the University of North Dakota.

Senate Bill No. 2023 - North Dakota State University - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Capital assets	<u>\$3,500,000</u>	<u>\$3,300,000</u>	<u>\$200,000</u>	<u>\$3,500,000</u>	<u>\$3,500,000</u>	
Total all funds	\$3,500,000	\$3,300,000	\$200,000	\$3,500,000	\$3,500,000	\$0
Less estimated income	<u>3,500,000</u>	<u>3,300,000</u>	<u>200,000</u>	<u>3,500,000</u>	<u>3,500,000</u>	
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Dept. 235 - North Dakota State University - Detail of Conference Committee Changes

	RESTORES FUNDING FOR HAZARDOUS MATERIAL HANDLING AND STORAGE FACILITY ¹	TOTAL CONFERENCE COMMITTEE CHANGES
Capital assets	<u>\$200,000</u>	<u>\$200,000</u>
Total all funds	\$200,000	\$200,000
Less estimated income	<u>200,000</u>	<u>200,000</u>
General fund	\$0	\$0
FTE	0.00	0.00

¹ This amendment fully restores funding for the hazardous material handling and storage facility to \$3,500,000, the same as the House version.

Senate Bill No. 2023 - State College of Science - Conference Committee Action

The conference committee did not change the House or Senate version for the State College of Science.

Senate Bill No. 2023 - Dickinson State University - Conference Committee Action

The conference committee did not change the House or Senate version for Dickinson State University.

Senate Bill No. 2023 - Minot State University - Bottineau - Conference Committee Action

The conference committee did not change the House or Senate version for Minot State University - Bottineau Thatcher Hall addition but added a section of legislative intent regarding the renovation of Old Main at Minot State University - Bottineau.

Senate Bill No. 2023 - Department of Human Services - Conference Committee Action

The conference committee did not change the House or Senate version for the Department of Human Services.

Senate Bill No. 2023 - Department of Corrections and Rehabilitation - Conference Committee Action

The conference committee did not change the House or Senate version for the Department of Corrections and Rehabilitation.

Senate Bill No. 2023 - Branch Research Centers - Conference Committee Action

The conference committee provided a total of \$350,000 to the Central Grasslands Research Extension Center for an office addition, with \$270,000 from bond proceeds and \$80,000 from federal and other funds. The Senate version provided \$350,000 for the office addition, all from bond proceeds, and the House version had removed funding for this project.

Senate Bill No. 2023 - Main Research Station - Conference Committee Action

The conference committee did not change the House or Senate version for the Main Research Station.

Senate Bill No. 2023 - State Historical Society - Conference Committee Action

The conference committee provided total funding of \$5,700,000 for the Historical Society and Heritage Center research collections expansion project, consisting of \$5,500,000 of bond proceeds and \$200,000 of federal and other funds, the same as the Senate version. The House had removed funding for this project.

Senate Bill No. 2023 - Parks and Recreation Department - Conference Committee Action

The conference committee did not change the House or Senate version for the Parks and Recreation Department.

Senate Bill No. 2023 - Other Changes - Conference Committee Action

REPORT OF CONFERENCE COMMITTEE (420)
April 23, 2005 5:33 p.m.

Module No: SR-76-8733

Insert LC: 58023.0211

This amendment also adds a section to amend Section 48-01.1-09 relating to the use of a construction manager, the same as the House version.

Engrossed SB 2023 was placed on the Seventh order of business on the calendar.

2005 TESTIMONY

SB 2023

COMPARISON OF MAJOR CAPITAL PROJECTS PROPOSED IN SENATE BILL NO. 2023

Project	Senate Bill No. 2023 as Introduced			Senate Bill No. 2023 Engrossed		
	State Bonding Proceeds	Other Funds	Total	State Bonding Proceeds	Other Funds	Total
Office of Management and Budget - Fire suppression	\$3,155,000		\$3,155,000	\$3,155,000		\$3,155,000
Attorney General - Crime lab addition and renovation	3,632,691		3,632,691	3,500,000		3,500,000
North Dakota State University - Hazardous material handling and storage facility	3,500,000		3,500,000	3,300,000		3,300,000
State College of Science - Electrical distribution	736,000		736,000	736,000		736,000
Dickinson State University - Murphy Hall	4,100,557		4,100,557	4,100,557		4,100,557
Department of Human Services - Developmental Center roofing and pool filtration project	240,000		240,000			
Department of Human Services - State Hospital electrical transformer replacement, roof, and water tower projects	215,000		215,000			
Minot State University - Bottineau - Thatcher Hall addition				2,500,000		2,500,000
Department of Corrections and Rehabilitation - James River Correctional Center ET building improvements	980,000		980,000	980,000		980,000
Department of Corrections and Rehabilitation - James River Correctional Center programs building code improvements	584,000		584,000	584,000		584,000
Department of Corrections and Rehabilitation - Missouri River Correctional Center multipurpose building	2,022,510		2,022,510			
North Central Research Center - Agronomy laboratory and greenhouse	440,000	\$880,000	1,320,000	440,000	\$1,250,000	1,690,000
Central Grasslands Research Extension Center - Office addition				350,000		350,000
Main Research Center - Greenhouse complex	4,500,000 ¹		4,500,000	2,000,000	5,000,000	7,000,000
Historical Society - Chateau Interpretive Center	1,100,000 ²	500,000	1,600,000	1,100,000 ²	500,000	1,600,000
Historical Society - Heritage Center research collections expansion				5,500,000	200,000	5,700,000
Parks and Recreation - Turtle River State Park administrative office	350,000	350,000	700,000	350,000	350,000	700,000
University of North Dakota - Sundry projects (Section 3 of the bill)	2,331,554		2,331,554	2,331,554		2,331,554
Total	\$27,887,312	\$1,730,000	\$29,617,312	\$30,927,111	\$7,300,000	\$38,227,111

¹Of the \$4.5 million of state bonding proceeds for the greenhouse complex, \$2.5 million was to be repaid from other funds and the balance repaid from the general fund.

²Of the \$1.1 million of state bonding proceeds for the Chateau Interpretive Center, \$300,000 is to be repaid from other funds and the balance repaid from the general fund.



INDUSTRIAL COMMISSION OF NORTH DAKOTA

John Hoeven
Governor

Wayne Stenehjem
Attorney General

Roger Johnson
Agriculture Commissioner

Testimony on Senate Bill 2023
By Karlene Fine
Executive Director & Secretary
Industrial Commission of North Dakota
January 12, 2005 – Senate Appropriations Committee

Mr. Chairman and members of the Senate Appropriations Committee, my name is Karlene Fine and I am Executive Director and Secretary for the Industrial Commission. The Industrial Commission by statute is also the North Dakota Building Authority. I, along with Pam Sharp, Director of the Office of Management and Budget, serve as the Authorized Officers for the Authority. I am appearing today to provide information on how the Building Authority works and on the statutory limitation for General Fund debt service expenditures.

The North Dakota Building Authority was established by the 1985 Legislative Assembly to provide the Legislature with another option as it considers how to pay the costs of projects declared by the Legislature to be in the public interest. This is how it works:

- (1) The Legislature determines whether a project is in the public interest of the State and passes legislation authorizing the specific projects and authorizing the Building Authority to issue evidences of indebtedness (generally these are tax exempt lease revenue bonds payable from biennial appropriations).
- (2) The Building Authority, working with the appropriate agencies, issues its bonds to acquire funds for the authorized projects.
- (3) As part of the financing, the agency and the North Dakota Building Authority enter into a lease agreement. The lease agreements are renewed every two years with rental funds provided from a legislative appropriation in each biennium. The lease payments made by the agency to the Building Authority are then used to make the debt service payments on the outstanding bonds.

The Legislature has established a "ceiling" of General Fund dollars the State can expend for Building Authority debt service. That "ceiling" is 10% of \$.01 of the sales use and motor vehicle taxes. Attached to my testimony is a debt service schedule for all the current outstanding Building Authority bond issues along with the proposed debt service schedule for those projects proposed in Section 1 of Senate Bill No. 2023. This schedule is different from the schedule I provided you last week as it includes the

January 12, 2005

projected debt service on the projects contained in this bill. This chart does not include in the "other sources" column the \$2,800,000 of funds that would be available for debt service repayment found in Section 2 of Senate Bill 2023.

The financing structure that is proposed in the column 2005 Estimate is a little different from the other columns. In order to meet the needs of the State for capital projects financing and to take advantage of the current bond rates, we developed a financing plan which would allow the State to pay less during the 2007-09 and then maintain increased level debt service for the life of the bond issue. Thus we remain under the "ceiling," meet the needs of the State and take advantage of low bond rates.

In the 2009-11 biennium we are going to see an increase in debt service availability under the "ceiling" because two of the bond issues will reach their maturity. What is projected on this chart is bonding for up to \$25,555,758 of projects. This chart then reflects that approximately \$250,000 remains available in the 07-09 biennium and then there is still nearly \$3 million available in the 09-11 biennium for future bonding and that amount continues to grow.

In regards to the Energy Conservation Projects, they are, by law, not included under the "ceiling" since those debt service expenditures will be coming from energy savings dollars.

Thank you for the opportunity to present testimony on SB 2023.

NORTH DAKOTA BUILDING AUTHORITY DEBT SERVICE

[illegible]

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subsequent biennia with a 4% increase each biennia.

05EST



INDUSTRIAL COMMISSION OF NORTH DAKOTA

John Hoeven
Governor

Wayne Stenehjem
Attorney General

Roger Johnson
Agriculture Commissioner

Testimony on Engrossed Senate Bill 2023
By Karlene Fine
Executive Director & Secretary
Industrial Commission of North Dakota
March 8, 2005 – Government Performance Division

Mr. Chairman and members of the Government Performance Division, my name is Karlene Fine and I am Executive Director and Secretary for the Industrial Commission. The Industrial Commission by statute is also the North Dakota Building Authority. I, along with Pam Sharp, Director of the Office of Management and Budget, serve as the Authorized Officers for the Authority. I am appearing today to provide information on how the Building Authority works and on the statutory limitation for General Fund debt service expenditures.

The North Dakota Building Authority was established by the 1985 Legislative Assembly to provide the Legislature with another option as it considers how to pay the costs of projects declared by the Legislature to be in the public interest. This is how it works:

(1) The Legislature determines whether a project is in the public interest of the State and passes legislation authorizing the specific projects and authorizing the Building Authority to issue evidences of indebtedness (generally these are tax exempt lease revenue bonds payable from biennial appropriations).

(2) The Building Authority, working with the appropriate agencies, issues its bonds to acquire funds for the authorized projects.

(3) As part of the financing, the agency and the North Dakota Building Authority enter into a lease agreement. The lease agreements are renewed every two years with rental funds provided from a legislative appropriation in each biennium. The lease payments made by the agency to the Building Authority are then used to make the debt service payments on the outstanding bonds.

The Legislature has established a "ceiling" of General Fund dollars the State can expend for Building Authority debt service. That "ceiling" is 10% of \$.01 of the sales use and motor vehicle taxes. Attached to my testimony is a debt service schedule for all the current outstanding Building Authority bond issues along with the proposed debt service schedule for those projects proposed in Section 1 of Engrossed Senate Bill No. 2023. This chart also reflects the bond issuance repayment responsibility of the

Historical Society of \$300,000 spread over the life of the 2005 bond issue. (This responsibility is stated in Section 2 of Engrossed Senate Bill 2023.)

The financing structure that is proposed in the column 2005 Estimate is a little different from the other columns. In order to meet the needs of the State for capital projects financing and to take advantage of the current bond rates, we developed a financing plan which would allow the State to pay less during the 2007-09 biennium and then maintain increased level debt service for the life of the bond issue. Thus we remain under the "ceiling," meet the needs of the State and take advantage of low bond rates.

What is projected on this chart is bonding for all the projects in engrossed Senate Bill 2023 which total \$28,595,557. This chart reflects that approximately \$225,000 remains available in the 07-09 biennium and then there is still nearly \$2.4 million available in the 09-11 biennium for future bonding and that amount continues to grow as outstanding bond issues mature and as revenues increase.

In regards to the Energy Conservation Projects included in Section 3 of Senate Bill 2023, they are, by law, not included under the "ceiling" since those debt service payments will be coming from energy savings dollars.

Thank you for the opportunity to present testimony on Engrossed Senate Bill 2023.

NORTH DAKOTA BUILDING AUTHORITY DEBT SERVICE																
			2003A													
	1998B	1998B-	1993A	2002C	2002D											
	1991-1986	1992	1990	1993B	1995A	1998C	2000A	2001A	2002A	2003B	2005Est.*	Totals	Other Source	Total Gen. Fund	10% of \$ 0.01 Sales Tax**	
Biennium															Available Debt Ser	
2003-05	2,358,165	601,635	5,479,013	2,067,370	2,738,140	1,320,063	780,460	735,704	1,546,756	697,938	0	18,326,244	2,478,018	15,848,226	17,358,880	1,510,654
2005-07	2,241,906	571,731	5,475,306	2,008,418	2,620,095	1,314,929	778,071	701,870	2,071,753	990,338	1,900,005	20,675,422	2,653,717	18,021,705	19,587,060	1,585,355
2007-09	2,019,972	56,431	5,970,019	2,395,499	2,886,382	1,312,000	743,035	703,954	2,075,721	961,176	1,995,356	22,814,405	2,443,931	20,370,474	20,370,542	68
2009-11	1,895,834	0	0	2,394,120	2,991,128	1,320,411	0	741,791	2,115,115	1,001,448	2,064,451	6,673,996	21,198,292	1,884,985	19,333,307	21,185,364
2011-13	0	0	0	2,360,520	2,996,490	1,322,403	0	744,148	2,118,015	1,000,429	2,067,145	6,675,306	19,304,456	1,561,471	17,742,985	22,032,779
2013-15	0	0	0	1,077,650	2,993,925	1,322,634	0	745,859	2,132,153	998,959	2,062,918	6,677,023	18,010,921	989,546	17,021,375	22,914,090
2015-17	0	0	0	0	1,473,923	1,317,319	0	749,763	2,155,288	994,148	2,066,525	6,677,554	15,434,520	859,631	14,574,889	23,830,853
2017-19	0	0	0	0	0	657,214	0	757,782	2,167,538	1,000,049	2,065,750	6,676,317	13,324,650	965,379	12,459,271	24,783,880
2019-21	0	0	0	0	0	0	0	0	1,910,281	1,005,320	2,063,925	6,669,802	11,649,328	868,961	10,780,367	25,775,235
2021-23	0	0	0	0	0	0	0	0	853,160	457,109	1,034,300	6,673,681	9,018,230	413,795	8,604,435	26,806,244
2023-25	0	0	0	0	0	0	0	0	0	0	3,337,458	3,337,458	33,336	3,304,122	27,878,494	
Totals	8,516,877	1,229,797	16,924,338	12,323,577	18,702,063	8,886,973	2,302,566	5,880,871	16,145,780	8,136,912	17,320,375	51,723,977	173,093,926	15,032,770	158,061,156	
	4.67%	4.67%	3.86%	4.01%	4.17%	5.11%	4.24%	5.51%	5.02%	5.02%	4.11%	4.60%				
Revised 3/18/05																

*The 2005Est. includes \$30,027,525 of projects. Currently Engrossed SB 2023 includes bonding for \$28,595,557. Therefore, there is additional bonding capacity of \$1,432,000 within the NDBA statutory limitation.

**The March 7, 2003 forecast used for the 2003-2005 biennium and the March 7, 2005 forecast used for the subsequent biennia with a 4% increase each biennia.

march05

NORTH DAKOTA BUILDING AUTHORITY DEBT SERVICE

Biennium	1998B 1991-1988	1998B- 1992	2003A 1993A 1990	2002C 1993B	2002D 1995A	1998A	1998C	2000A	2001A	2002A	2003B	2005Est.	Totals	Other Source	Total Gen. Fund	10% of \$.01 Sales Tax*	Available Debt Ser
2003-05	2,359,165	601,635	5,479,013	2,067,370	2,738,140	1,320,063	780,460	735,704	1,548,756	697,938	0	0	18,326,244	2,478,018	15,848,226	17,358,880	1,510,554
2005-07	2,241,906	571,731	5,475,306	2,008,418	2,620,095	1,314,929	779,071	701,870	2,071,753	990,338	1,900,005	0	20,675,422	2,653,717	18,021,705	19,587,060	1,565,355
2007-09	2,019,972	56,431	5,970,019	2,395,498	2,888,382	1,312,000	743,035	703,954	2,075,721	991,176	1,995,356	1,438,326	22,587,871	2,443,931	20,143,940	20,370,542	226,802
2009-11	1,895,834	0	0	2,394,120	2,991,128	1,320,411	0	741,791	2,115,115	1,001,446	2,064,451	6,084,509	20,608,805	1,864,985	18,743,820	21,185,364	2,441,544
2011-13	0	0	0	2,380,520	2,996,490	1,322,403	0	744,148	2,118,015	1,000,429	2,067,145	6,081,924	18,711,074	1,561,471	17,149,603	22,032,779	4,883,176
2013-15	0	0	0	1,077,650	2,993,925	1,322,634	0	745,659	2,132,153	998,959	2,062,918	6,085,164	17,419,062	989,546	16,429,516	22,814,090	6,484,574
2015-17	0	0	0	0	1,473,923	1,317,319	0	749,763	2,155,288	994,148	2,066,525	6,080,219	14,837,185	859,631	13,977,554	23,830,853	9,853,099
2017-19	0	0	0	0	0	657,214	0	757,782	2,167,538	1,000,049	2,065,750	6,080,487	12,720,820	865,379	11,853,441	24,783,880	12,920,439
2019-21	0	0	0	0	0	0	0	0	1,910,281	1,005,320	2,063,925	6,086,843	11,066,369	868,961	10,197,408	25,775,235	15,577,827
2021-23	0	0	0	0	0	0	0	0	853,160	457,109	1,034,300	6,085,357	8,429,926	413,795	8,016,131	26,806,244	18,790,113
2023-25	0	0	0	0	0	0	0	0	0	0	0	2,978,183	2,978,183	33,336	2,944,847	27,878,494	24,933,647
Totals	8,516,877	1,229,797	16,924,338	12,323,577	18,702,083	9,886,973	2,302,566	5,880,671	19,145,780	9,136,912	17,320,375	46,999,012	168,368,961	15,032,770	153,336,191		
	4.67%	4.67%	3.86%	4.01%	4.17%	5.11%	4.24%	5.51%	5.02%	5.02%	4.11%	4.53%					

Revised 3/07/05

*The March 7, 2003 forecast used for the 2003-2005 biennium and the March 7, 2005 forecast used for the subsequent biennia with a 4% increase each biennia.

II

Same given to the House

TESTIMONY ON SB 2023
By John Boyle, Director
OMB Facility Management Division
January 12, 2005

Good morning Chairman Holmberg and members of the Senate Appropriations Committee, for the record my name is John Boyle. I am the director of the Facility Management Division within the Office of Management and Budget. I am here today to testify on the fire suppression system for the Capitol.

In the audience today is Chief Joel Boespflug of the Bismarck Fire Department. Chief Boespflug supervises those who authored the mitigation plan referenced in my testimony.

I will address three main topics during my testimony. They include the justifications of this project, the approval of this project by Budget Section to the capital improvement planning revolving fund, and some safety procedures already implemented by the Office of Management and Budget.

Justification for this project include the following:

- The creation of the United States Department of Homeland Security has brought this project to the forefront. The Capitol is the center of state government and has been identified as critical infrastructure.
- The Bismarck Fire Department's number one mitigation strategy in protecting and preserving the Capitol is a fire suppression system.
- The State Fire Marshal requested and encouraged the Office of Management and Budget to pursue the installation of a fire suppression system.
- The Life Safety Code (State Building Code) requires an approved, supervised, automatic sprinkler system.
- Based on the replacement cost provided by the Fire and Tornado Fund, the replacement cost of the Capitol is approximately \$92 million.

The State Facility Planner presented recommendations regarding the use of money in the capital improvements planning revolving fund before Budget Section on January 14, 2004. The preliminary planning for this project was approved by Budget Section.

These allocated funds were used to identify the following:

- Water source to the Capitol.
- Cost of bringing water pressure to the Capitol.
- More accurate estimates to the overall project.

This is the final Phase I report received by the Office of Management and Budget.

Upon request, a copy of the Phase I report can be made available to you.

For the past several years, the Office of Management and Budget and the Bismarck Fire Department have worked together to implement some safety procedures. They include:

- Installation of a fire alarm system that includes strobe lighting for the hearing impaired.
- Fire drills conducted on a routine basis with the assistance of the Bismarck Fire Department.
- Bismarck Fire Department practices search and rescue missions in the Capitol on a regular basis.
- Training on the proper use of fire extinguishers.
- Training on the use of fire evacuation chairs for handicapped employees or employees requiring assistance.
- Citizens Emergency Response Team (CERT) training for a number of Office of Management and Budget employees and other state employees.

While all these are important in helping to provide a safe environment, they have a limited impact on the effectiveness of protecting and preserving the Capitol from fire.

Our next step should be the installation of a fire suppression system.

Mr. Chairman, that concludes my remarks. At this time, I would be happy to answer any of your questions.

III

SENATE BILL NO. 2023
CAPITAL IMPROVMENTS PROJECTS
OFFICE OF ATTORNEY GENERAL
KATHY ROLL, FINANCIAL ADMINISTRATOR

Crime Laboratory Facility

The goal of the Crime Laboratory is to provide scientific support to the state's criminal justice system by use of accepted techniques in the analysis, identification, and comparison of physical evidence involved in the investigation and prosecution of criminal offenses. The Crime Lab's most critical need is to obtain additional space to adequately perform statutory mandates. A Master Plan was formulated in June of 2000, to remodel and add space at the State's laboratory facility located in east Bismarck. A Master Plan was developed and renovations at the Crime Lab are in the final phase in the capital improvement project.

While we are glad that our time has come, since its adoption 5 years ago, the Master Plan fails to address several critical issues at the Crime Lab. These issues include:

- 1) New technology, particularly in the forensic sciences, has necessitated additional space and staffing needs.
- 2) The Plan needs to provide a carefully planned construction project which accurately reflects the current and future needs of the Crime Lab.

The Master Plan identified a number of serious laboratory deficiencies:

- The lack of adequate workspace results in serious safety concerns. Laboratory benches are crowded with instruments, computers, and chemicals. Crowded laboratory workspace results in an extremely high potential for accidents in the laboratories.
- Inadequate space also limits the number of hoods, flammable storage cabinets, bio-safety cabinets, and protective work environments needed to safely and effectively work.
- Several health and safety concerns are apparent in the existing lab space. The facility is not code compliant, ANSI approved, accessible eyewash/safety shower facilities are not provided, and is not ADA compliant.

Currently, the entire Crime Laboratory Division of eighteen staff members occupies 4,957 net square feet. There are 11 desks for 18 staff members. Our forensic section lab space was designed for 3 forensic scientists ... we now have 9. One staff member occupies a table made into makeshift desk, while others use any available laboratory bench space. Due to the lack of adequate storage capacity, we were storing supplies above the ceiling panels in the lab area. Our evidence storage room is overflowing, and our administrative staff is crammed into an area fit for one or two people at most.

The Crime Lab outgrew its current space in 1997. The Crime Lab addition provides for 13,585 additional square feet. This addition will almost triple the current Lab

space, yet provides no additional space for the Lab's future growth. In other words, if the Legislature directs the Crime Lab to conduct new forensic testing, i.e. DNA sampling for all felons, additional space will be necessitated. The current budget does not include space to accommodate new programs or the expansion of existing programs. As an example of the costs associated with new programming, a new forensic scientist position will cost approximately \$82,000 in crime lab building needs (and this cost just covers the "space" needs, not operating costs).

To further demonstrate this critical issue, I invite you to tour the existing Crime Lab space. We will work with the committee to setup the tour at your convenience.

ENGROSSED SENATE BILL NO. 2023
CAPITAL IMPROVMENTS PROJECTS
OFFICE OF ATTORNEY GENERAL
KATHY ROLL, FINANCIAL ADMINISTRATOR

Crime Laboratory Facility

The estimated cost of the Crime Laboratory expansion project is \$3,551,491, which was included in the bonding bill by the Governor. In addition, \$81,200 was included for the new forensic scientist's space. **The Senate amended SB 2023, the bonding bill, to reduce the Crime Lab building and remodeling project to \$3.5 million. We are requesting that the \$132,691 reduced by the Senate be reinstated, \$81,200 of which relates to one new forensic scientist we requested in the Senate.**

The goal of the Crime Laboratory is to provide scientific support to the state's criminal justice system by use of accepted techniques in the analysis, identification, and comparison of physical evidence involved in the investigation and prosecution of criminal offenses. The Crime Lab's most critical need is to obtain additional space to adequately perform statutory mandates. A Master Plan was formulated in June of 2000, to remodel and add space at the State's laboratory facility located in east Bismarck. The final phase of the Master Plan capital improvement project is the Crime Lab addition and renovations to the current space.

The Master Plan identified a number of serious laboratory deficiencies:

- The lack of adequate workspace results in serious safety concerns. Laboratory benches are crowded with instruments, computers, and chemicals. Crowded laboratory workspace results in an extremely high potential for accidents in the laboratories.
- Inadequate space also limits the number of hoods, flammable storage cabinets, bio-safety cabinets, and protective work environments needed to safely and effectively work.
- Several health and safety concerns are apparent in the existing lab space. The facility is not code compliant, ANSI approved, accessible eyewash/safety shower facilities are not provided, and is not ADA compliant.

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- 1) New technology, particularly in the forensic sciences, has necessitated additional space and staffing needs.
- 2) The Plan needs to provide a carefully planned construction project which accurately reflects the current and future needs of the Crime Lab.

Currently, the entire Crime Laboratory Division of eighteen staff members occupies 4,957 net square feet. There are 11 desks for 18 staff members. Our forensic section lab space was designed for 3 forensic scientists ... we now have 9. One staff member

occupies a table made into makeshift desk, while others use any available laboratory bench space. Due to the lack of adequate storage capacity, we were storing supplies above the ceiling panels in the lab area. Our evidence storage room is overflowing, and our administrative staff is crammed into an area fit for one or two people at most.

The Crime Lab outgrew its current space in 1997. The Crime Lab addition provides for 13,585 additional square feet. This addition will almost triple the current Lab space, yet provides no additional space for the Lab's future growth. In other words, if the Legislature directs the Crime Lab to conduct new forensic testing, i.e. DNA sampling for all felons, additional space will be necessary. The current budget does not include space to accommodate new programs or the expansion of existing programs. As an example of the costs associated with new programming, a new forensic scientist position will cost approximately \$81,200 in crime lab building needs (and this cost just covers the "space" needs, not operating costs).

To further demonstrate this critical issue, I invite you to tour the existing Crime Lab space. We will work with the committee to setup the tour at your convenience.



Wayne Stenehjem
ATTORNEY GENERAL

STATE OF NORTH DAKOTA
OFFICE OF ATTORNEY GENERAL

STATE CAPITOL
600 E BOULEVARD AVE DEPT 125
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MEMORANDUM

To: Representatives Carlson, Skarpohl, Svedjan, Glassheim,
and Monson

From: Kathy Roll, ^{*Roll*} Office of Attorney General

Subject: 2005 Engrossed Senate Bill No. 2023

Date: March 14, 2005

At the hearing on Engrossed Senate Bill No. 2023, Representative Skarpohl asked about the amount of evidence stored at the Crime Lab and for any high-tech storage solutions. I spoke with Hope Olson, the Crime Lab Director.

The Crime Lab maintains an evidence return policy, meaning evidence is returned as soon as it is processed. However, sometimes the laboratory is mandated to store evidence by court order or by smaller agencies who can't store evidence appropriately. In large cases, law enforcement representatives submit the evidence in sections as the Lab can handle and process it. Once evidence is processed, it is sent back to law enforcement or destroyed. Ms. Olson said the evidence storage at the laboratory is kept at a minimum due to lack of storage space.

With this in mind, of the 18,293 in net square footage included in the Master Plan, the breakdown of space usage is as follows:

- 12,648 net square feet is for laboratory work space
- 4,642 net square feet is for administrative and facility support space
- 1,003 square feet (5%) is for storage space

Ms. Olson is not aware of any high-tech alternatives for the storage space identified in the Master Plan.

*Same
testimony
given to
The House*

SENATE BILL 2023

Senate Appropriations – Senator Ray Holmberg, Chairman

**Department of Corrections and Rehabilitation Requested Capital Projects
Dave Krabbenhoft, Director of Finance and Administration**

Missouri River Correctional Center – Multipurpose Building - \$2,022,510

- Replace Existing Food Services Building
 - Wood Frame Construction
 - Over 60 Years Old
 - Non-Compliance with Building Codes
 - No Fire Suppression System
 - Antiquated Unreliable Equipment
 - Designed for Inmate Population of 40
- 14,400 Square Food Service – Multipurpose Building
 - Kitchen
 - Dining Hall / Recreation Area
 - 4 Treatment / Education Rooms
 - Designed for MRCC Inmate Capacity of 150
- Estimated Cost - \$2,022,510
 - New Construction
 - Pave Access Road (.75 mile)
 - Well Relocation
 - Food Service Equipment (20% of existing kitchen equipment will be used in new building)
 - Building Demolition (3 existing buildings)

James River Correctional Center – ET Building Improvements - \$980,000

- Improve Security - \$142,000
 - Replace Foam Ceiling Tiles with Steel Panels
 - 2 of 6 Floors
 - Eliminate Security Concerns
 - Allow for the Addition of Fire and Smoke Dampers (Fire Marshall)
- Increase Energy Efficiency - \$412,000
 - Replace 70 Year Old Exterior Windows
 - 4 of 6 Floors
 - Current Windows Severely Deteriorated
- Increase Bed Space - \$426,000
 - Convert 4 Existing Panty Areas to 5 Bed Dormitories (20 additional beds)
 - Pantry Areas Previously Used to Serve Food to Inmates

- Increase DOCR Bed Capacity from 991 to 1011
- Breakeven at 426 Days (\$50/day contract rate)

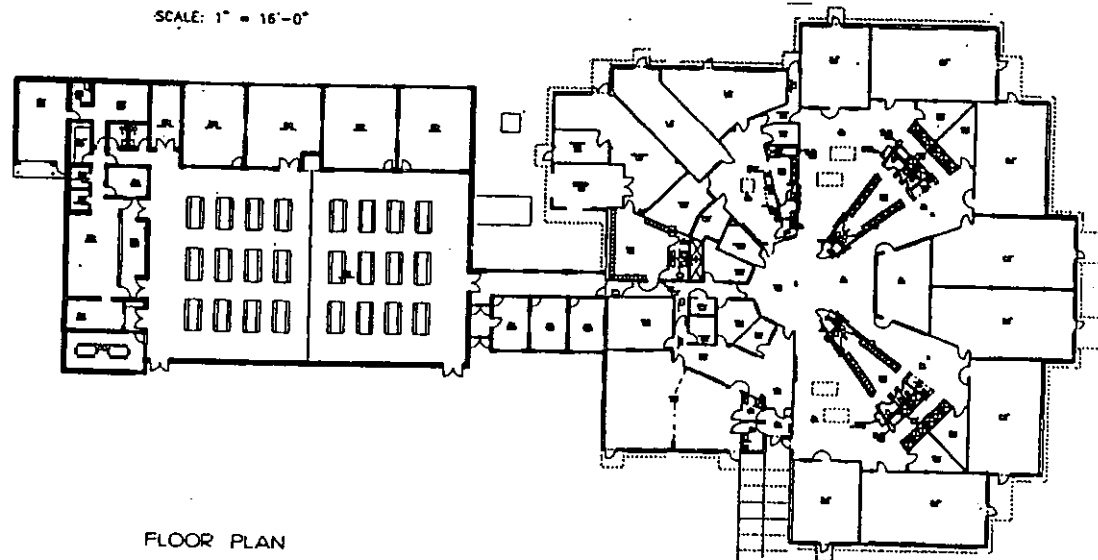
James River Correctional Center – Building Code Improvements - \$584,000

- Code Improvements to Building 18A
 - ADA Accessibility - Elevator and Stairwell
 - Roof Replacement
 - Restrooms

A. CAPITAL PROJECTS \$3,586,510

MRCC Multipurpose Building - \$2,022,510. The Executive Budget includes \$2, 022, 510 for the construction of a 14,400 square foot food service-multipurpose building at the MRCC. The existing food services building is wood frame construction, and does not meet any of the local building codes. It was constructed over 60 years ago to feed a population of 40 inmates, and lacks a fire suppression system. Antiquated equipment is unreliable and inadequate to feed the 150 men who now live at the facility. This is the fifth biennium we have presented this need to the legislature, and I believe most of you are familiar with the need to replace the present kitchen. The new building would include the kitchen, a larger dining hall with tables that could be rolled away to make that could double as indoor recreation space, and contains 4 rooms for treatment groups and education classes This will improve the security at the facility by having all the inmates recreating in a controlled area with an ability to observe with limited staff. Construction will also allow us to meet ACA standard #4-4154 related to indoor exercise areas for inmates living in minimum-security facilities. Requested funds include construction costs, funds to pave .75 miles of existing graveled access, demolition of three existing buildings, money to relocate the well, and related food service equipment. Approximately 20% of the existing kitchen equipment will be saved and moved to the new building.

MRCC Multipurpose Building



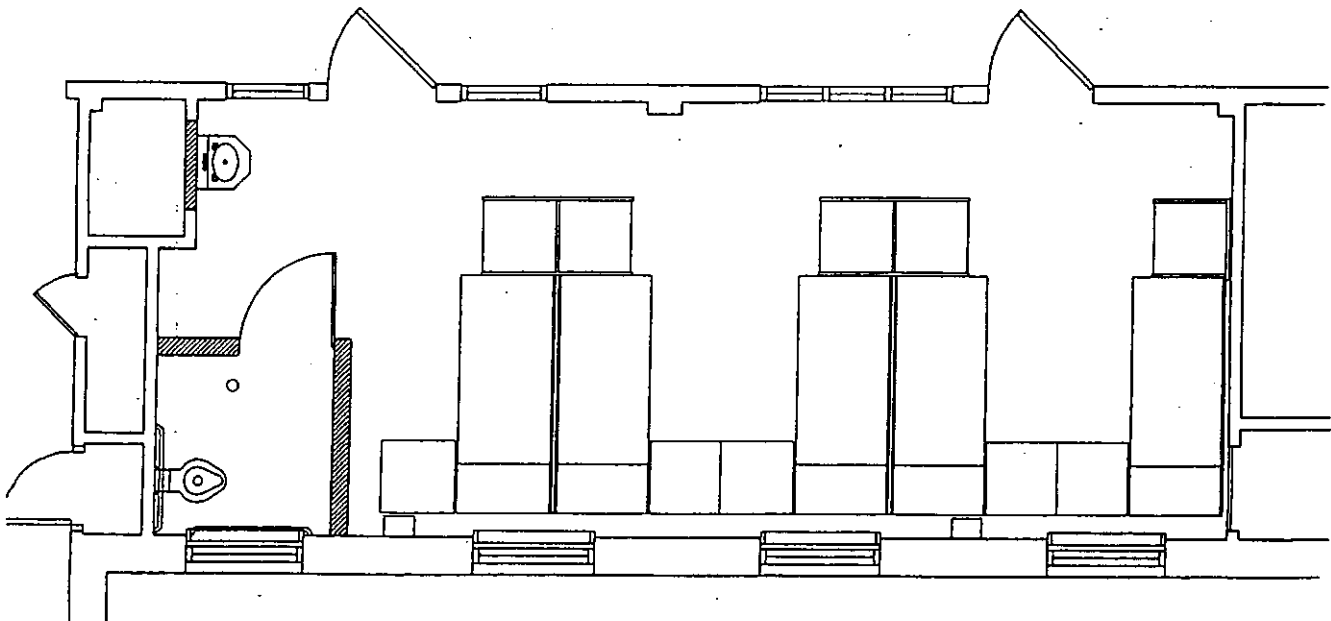
ET Building improvements at the JRCC - \$980,000. The existing dormitory building (ET building) on the grounds of the James River Correctional Centre needs major retrofits to improve building security increase energy efficiency, and add critically needed bed space for the Prisons Division.

The addition of the food service and dining hall building this past year means that we now have space available on each of the dormitory floors that were previously used as pantry areas to serve food while the inmates ate their meals in the dayroom on each floor. Remodeling these areas into dormitories means that we could add 20 more inmates. At the daily existing rate paid to private prisons to house North Dakota inmates, this entire project could be funded with saving generated by keeping these inmates within our own system. We hope to have this construction completed within a year, and we have reflected the savings brought on by building these additional in-house beds by reducing the amount of external housing beds required by 20, beginning in August of 2006. Our operational capacity will increase from 991 to 1011 beds at that time.

The 70 year-old windows on four of the 6 floors are pine wood material and are severely deteriorated, with water damage to the structure evident at numerous locations. This request allows us to replace the windows with energy efficient models that would eliminate the water damage, and increase energy efficiency.

Drop in ceiling tiles in the dorm corridors need to be replaced on 2 of the 6 floors. The existing foam ceiling tiles allow inmates to easily remove the tile and hide contraband. Steel ceiling panels welded into the grid will eliminate these security concerns and allow for the addition of fire and smoke dampers in the ceiling cavity above the hallways, as requested by the Fire Marshall.

JRCC PANTRY REMODEL PROJECT 5 bed dorm



JRCC Programs Building Code Improvements - \$584,000. One of the buildings transferred from the State Hospital to the JRCC during the Phase II construction was the 18A building. This is a three-story building that the prison needs for space for treatment and education classes at the facility, but it requires improvements to bring it up to code before we can occupy the building. These improvements include an elevator and stairwell to make it ADA accessible, new roofing, and restrooms.

Testimony
Senate Appropriations Committee
Regarding Senate Bill – 2023
Senator Ray Holmberg, Chairman
January 12, 2005

Chairman Holmberg and members of the Senate Appropriations Committee, I am Ken Schulz, the Chief Financial Officer of the North Dakota State Hospital and North Dakota Developmental Center of the Department of Human Services. I am here today to provide information concerning needed repairs that are included in Senate Bill 2023.

North Dakota State Hospital

Water Tower Repairs – \$110,000 - The North Dakota State Hospital has a 250,000 gallon water tower, which is needed to maintain adequate water pressure to State Hospital and James River Correctional Center buildings. Liquid Engineering Corporation of Billings, Montana inspected the water tower in the summer of 2004. Several safety and security repairs and improvements need to be made to assure the water tower complies with OSHA and AWWA (American Waterworks Association) regulations. Also, the interior of the tank needs to be sandblasted and painted. The estimate from Liquid Engineering is \$117,078. *Not a Bid*

Repair and Maintenance of Roofs - \$65,000 – All of the roofs on the Child/Adolescent Building have been repaired or replaced except the 600 wing, which houses the Division of Juvenile Services offices. This roof is showing some deterioration and leaking, and needs to be repaired to prevent further deterioration of the roof structure. In addition, portions of the tunnel roof

between the Gronewald Middleton Building and the Child/Adolescent Building are in need of repair.

Replace Electric Transformers - \$40,000 – Electrical transformers change electricity from high voltage to usable low voltage power. The State Hospital has 48 transformers providing electricity for the State Hospital and James River Correctional Center. Two transformers need to be replaced and six need to be repaired. On July 30, 2004, Great Plains Technical Services of Mandan estimated the cost of the repairs and replacement to be \$40,530.

North Dakota Developmental Center

Colette Pool Filtration and Roof - \$105,000 – The Colette Building contains a gymnasium, racquetball courts, exercise rooms and an indoor swimming pool. The building was built in 1967. The existing pool filtration system is leaking and needs to be replaced. Associated Pool Builders of Bismarck has estimated the cost to replace the existing vacuum D.E. filter with a dual cell pressure sand filter to be \$55,350. The remaining amount will be used to repair or replace roofs throughout the campus.

Cedar Grove Roofing - \$135,000 – The Cedar Grove Building is one of the main housing units for clients and was built in 1982. This building has a roof leak in the office area. An attempt to patch this area failed and there still are times when this roof leaks. To alleviate the problem the entire roof should be replaced on the commons area now and the living areas in a couple of years.

Thank you and I am willing to answer any questions.

Senate Bill 2023
Senate Appropriations Committee
Harvest Room – 8:30 am
Wednesday, January 12, 2005

*same
given to
the House*

Mr. Chairman and members of Senate Appropriations, I am Doug Prchal, Director North Dakota Parks and Recreation. I appear in support of the capital project, Turtle River State Park visitor service/office building, included in SB 2023.

The proposed project is a priority included in the 10 year old park master plan. Current park operations are located in a 1940's farm house converted for office use in 1978. This facility is not ADA accessible and is located off the main park road. Relocation along the entrance road will better serve visitors, as identified in the master plan, move the office out of the flood zone and consolidate uses within the park.

Approval of construction of this facility will centralize park operations and result in the removal of two existing facilities from park inventory, the existing office and a two story brick building dating to the early 1960's, a part of the Turtle River Ski complex.

Park interpretive activities are housed in this former ski facility and that facility does not meet ADA either on the main floor or second story. This position will move the office to serve visitors and school groups visiting the park. Additionally, Turtle River State Park is a remnant Civilian Conservation Corps park and was a CCC camp. Through the use of Federal Transportation Enhancement funds we will be able to assist with the construction of this facility and create a legacy to the work the CCC did with a small interpretive area.

A project concept plan is attached noting a building size of 3800 square feet. This size is a smaller square footage than the two existing facilities due to a more efficient floor plan. A park map is included to provide an orientation for the location of this facility. We have also included a data sheet on the project scope for further review and reference.

I ask for your favorable approval of the project to improve visitor services at Turtle River and provide an appropriate tribute to the work of the Civilian Conservation Corps in North Dakota. That concludes the testimony and I would entertain any questions.

**ADMINISTRATIVE OFFICE / VISITOR CENTER BUILDING
TURTLE RIVER STATE PARK
ARVILLA, ND**

PROJECT DESCRIPTION:

Construction of a combination administrative office / visitor center at Turtle River State Park. Located adjacent to the park entrance road, the new facility will serve the following functions:

1. Visitor information center for the park, region and state.
2. Park visitor and camper check in and fee collection
3. Provide contemporary indoor education learning facility and meeting room.
4. Civilian Conservation Corp interpretive exhibit hall
5. Office space for two FTE and two temporary employees
6. Firewood and other visitor convenience sales / small gift shop
7. ADA accessible public restrooms.
8. Recreation and educational trail heads.

PROJECT NEED/OPPORTUNITIES:

Construction of the new administrative offices / visitor center would allow the Department to replace a 1940's farmhouse converted into park offices in 1978. Also replaced would be a two story 1960's group meeting facility. Completion of this project along with the replacement of the above mentioned obsolete structures would equate to an overall net decrease in building square feet while maximizing staff and maintenance efficiency.

**** EXISTING PARK OFFICE:** Restroom, visitor contact desk and offices are not ADA accessible. The building is located in the 100 year flood zone and rests on top of a basement which is ½ poured cement and ½ dirt wall basement. Relocating the offices and visitor services near the main entrance road improves visitor services. This existing structure will be removed from the park either through demolition or public sale. Renovation cost estimates to bring this building to ADA standards and structural, mechanical renovations is \$100,000.

**** CHALET:** The "Chalet", a remnant warming and food service building from the "Arvilla Ski Hill" of the 1960's currently houses the park interpretive services and meeting room. No part of this 3,200 square foot facility is ADA accessible. Extensive renovation is needed to bring this structure up to ADA standards, provide energy efficiency, and upgrade the facility electrical and mechanical systems. The estimated cost to renovate this structure for energy efficiency, mechanical/electrical and structural repairs plus ADA compliance is approximately \$250,000. The Department estimates the cost to renovate both the existing office and "chalet" facilities would be \$350,000.

PROJECT SPECIFICATIONS:

Approximately 3,800 square feet

Constructed using maintenance free materials as much as possible.

Energy efficient lighting, heating and cooling systems.

Use "green" design techniques where possible.

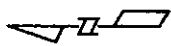
Project budget \$700,000 (Includes parking, exterior utilities to the structure, A/E fees.)
\$350,000 Transportation Enhancement Grant funds / \$350,000 Revenue Bonds.

TURTLE RIVER STATE PARK

3084 PARK AVENUE
ARVILLA, ND 58214
PHONE: 701-594-4445
FAX: 701-594-2556
E-MAIL: trap@state.nd.us
WEB SITE: <http://www.ndpark.com>
CAMP SITE RESERVATION: 1-800-807-4723
IN CASE OF EMERGENCY DIAL 911

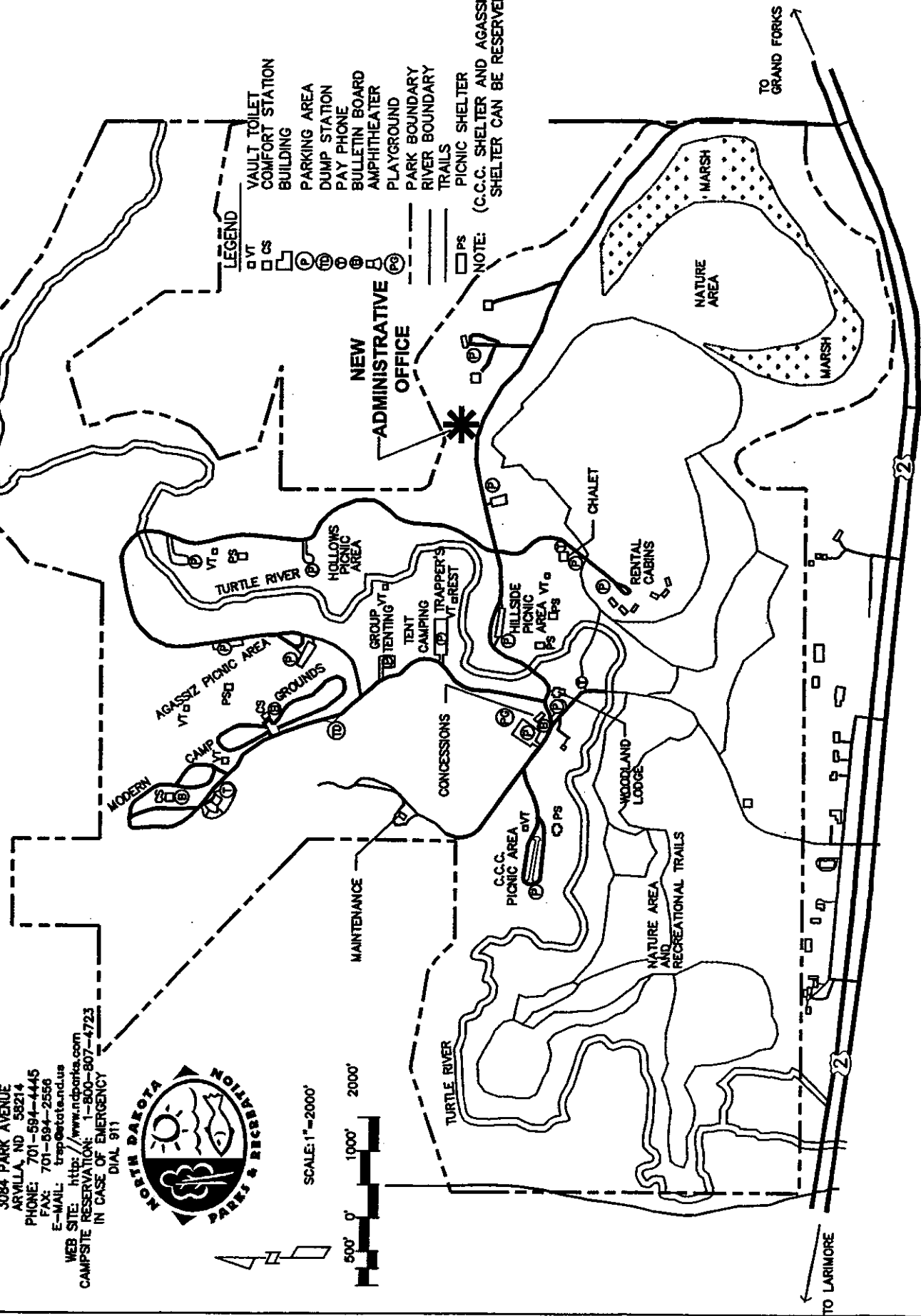


SCALE: 1"=2000'



- LEGEND**
- VT VAULT TOILET
 - CS COMFORT STATION
 - BUILDING
 - PARKING AREA
 - DUMP STATION
 - PAY PHONE
 - BULLETIN BOARD
 - AMPHITHEATER
 - PLAYGROUND
 - PARK BOUNDARY
 - RIVER BOUNDARY
 - TRAILS
 - PS PICNIC SHELTER
- NOTE:** (C.C.C. SHELTER AND AGASSIZ SHELTER CAN BE RESERVED)

**NEW
ADMINISTRATIVE
OFFICE**



SB 2023
Senate Appropriations Committee
January 12, 2005

Testimony by Merl Paaverud, Director
State Historical Society of North Dakota

same given to House

Introduction

Mr. Chairman and members of the Committee, my name is Merl Paaverud and I am the director of the State Historical Society of North Dakota. It is a pleasure to be here today to present information about the expansion of the Chateau de Mores Interpretive Center located on de Mores State Historic Site. This is our most visited state historic site with over 38,000 visitors to the Chateau and 104,000 visitors to Chimney Park during the biennium..

Project Overview

The State Historical Society acquired the de Mores State Historical Site in 1936 and opened it for public visitation in 1941. The Society provided interpretive areas on the site which included the contact station and the Chateau itself. A visitor and interpretive center was finally constructed in 1974 and serves that purpose to this day. Over the years this center has deteriorated to the point where the walls and floors have separated and uneven floor surfaces have resulted which present risk management concerns for visitors to the building. ADA accessible restrooms are also a priority need. My staff has worked with Facility Management staff to develop a concept and square footage and cost estimates for the project. It was determined that the existing building could be used for support areas while the new addition would provide the public space for exhibits and support services. I have provided attachments that show the proposed floor plan, square footage, and cost for the project.

Budget Overview

The total project cost is \$1.6 million. The project would be funded from the following sources:

State of North Dakota Bonding.....	\$800,000
Federal Funding.....	\$500,000
Special Funds.....	\$300,000

The federal funding for this project has already been secured. The special funds will be raised through the State Historical Society of North Dakota Foundation and private donations. If the bonding is not granted, the federal funds will be turned back to the Federal Highway TE program administered by the North Dakota Department of Transportation.

Conclusion

This concludes for formal testimony for the Chateau de Mores Interpretive Center Expansion Project. I would be happy to answer any questions that you might have.

Chateau de Mores Interpretive Center Space Needs

The current interpretive center at Chateau de Mores is inadequate for the needs of the site. The following is the list of space needs for a future renovated and expanded interpretive center.

Permanent Exhibit Gallery: 2,255 Sq. Ft.

The Permanent Exhibit Gallery will serve as a major orientation area for visitors coming to the Chateau. The current permanent exhibit gallery contains about 1300 Sq. Ft. and is too small to adequately tell the story of the Chateau. Adjacent to this space will be the Loading Dock / Prep Room so that exhibits could be moved in and out easily.

Temporary Exhibit Gallery: 933 Sq. Ft.

The Temporary Exhibit Gallery will be similar to the temporary exhibit spaces now at Pembina State Museum and the Missouri - Yellowstone Confluence Interpretive Center.

Loading Dock / Prep Room: 480 Sq. Ft.

The Loading Dock / Prep Room will serve two basic functions. It will be used as an area to transfer exhibit components to and from the Permanent and Temporary Exhibit Galleries. Secondly, it will also function as a limited storage area.

Museum Store: 778 Sq. Ft.

The Museum Store Area will greet visitors as they enter the interpretive center. Staff working in this area will handle ticket sales to the Chateau as well as museum store sales.

Meeting Room: 665 Sq. Ft.

Multi-purpose space used for lectures, meetings, etc. This space would be utilized like similar spaces at the Pembina State Museum and the Missouri-Yellowstone Confluence Interpretive Center.

Restrooms: 400 Sq. Ft.

Men's and Women's Restrooms will be necessary for this building. Both restrooms will comply with ADA requirements and also include changing tables for infants.

Regional Manager's Office: 258 Sq. Ft.

Office space for the West Regional Manager. This space will be located within the existing structure. The office will be located near an entrance to reinforce the philosophy of customer service and access to the public.

Site Supervisor's Office: 200 Sq. Ft.

Office space for the Chateau de Mores Site Supervisor. This space will be located within the existing structure. The office will be located near an entrance to reinforce the philosophy of customer service and access to the public.

Open Office Area: 635 Sq. Ft.

Multi-purpose work room for Chateau Staff. Can serve as a break room space, work space, staff library, and / or a small meeting room. Might include a counter top and cabinets with space for a refrigerator, sink, and microwave.

Mechanical Spaces: 240 Sq. Ft.

Spaces for heating, air conditioning, hot water heaters, etc.

Meeting Room: 665 Sq. Ft.

Multi-purpose space used for lectures, meetings, etc. This space would be utilized like similar spaces at the Pembina State Museum and the Missouri-Yellowstone Confluence Interpretive Center.

Storage Spaces: 439 Sq. Ft.

The Museum Store will require a storeroom for additional product inventory. Additional storage for tables, chairs, slide projectors, etc. for the Meeting room will be necessary. An office storage space is planned for office supplies and general storage needs.

Circulation, Vestibule and Walls: 1,445 Sq. Ft.

Total Space Need:	8,728 Sq. Ft.
Current Building Space	2744 Sq. Ft.
New Building Space Needed	5,984 Sq. Ft.

Proposed Addition to and Renovation of Existing Interpretive Center

Renovation of Existing Building

2744 Sq. Ft. @ \$60 / Sq. Ft. = \$164,640

Addition of to Existing Building

5,984 Sq. Ft. @ \$150 / Sq. Ft. = \$897,600

Soft Costs

20% of Building Costs = \$212,448

Permanent Exhibits

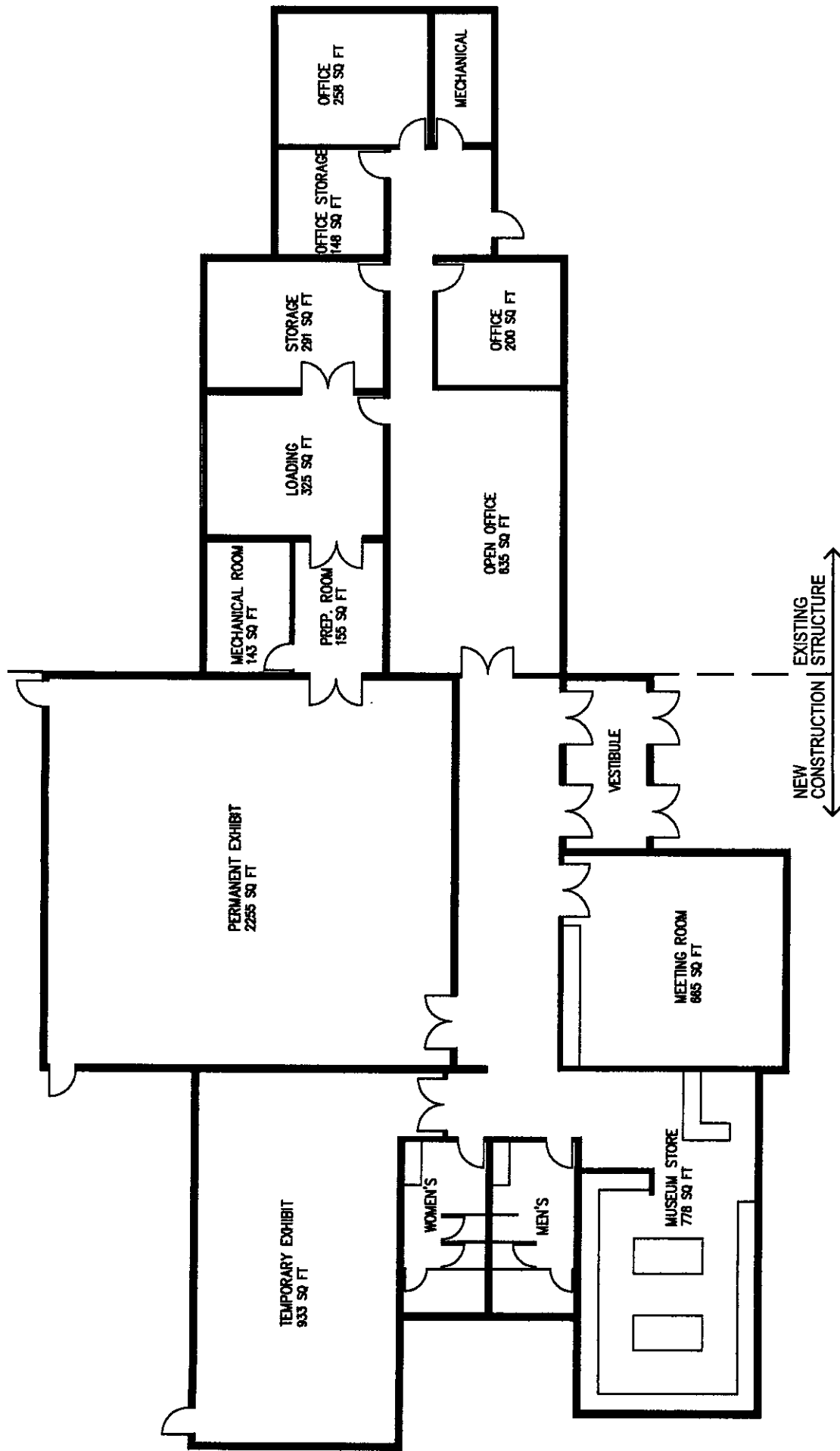
2255 Sq. Ft. @ \$ 125 / Sq. Ft. = \$281,875

Contingency Allowance

\$ 43,437

Total

\$1,600,000



PROPOSED FLOOR PLAN
CHATEAU de MORES INTERPRETIVE CENTER

SCALE: NOT TO SCALE

COLOR KEY

- | | | | |
|--------------------------|---------------------|--------------------------|----------------|
| <input type="checkbox"/> | EXHIBIT SPACES | <input type="checkbox"/> | OFFICE SPACES |
| <input type="checkbox"/> | OTHER PUBLIC SPACES | <input type="checkbox"/> | SUPPORT SPACES |

SB 2023
House Appropriations Committee
March, 2005

Testimony by Merl Paaverud, Director
State Historical Society of North Dakota

Introduction

Chairman Carlson and members of the Committee, my name is Merl Paaverud and I am the director of the State Historical Society of North Dakota. I thank you for the opportunity to come before you today to testify about a very important project that will have a profound effect on the preservation of North Dakota's history. The project that I am referring to is the North Dakota Heritage Center Research Collections Expansion.

Project Description

The State Historical Society has a mandate set in the North Dakota Century Code under section 55-02.1-05, Depositories of Archival Resources. The sections states, "All archival resources from central departments, offices, and agencies must be placed in the main society's archives in the heritage center in Bismarck under the state historical society's immediate jurisdiction." We have fulfilled this requirement since the North Dakota Heritage Center opened in 1981. The original space was estimated to last for 10 to 12 years. It has been 24 years and the prime space in the North Dakota Heritage Center has been used up. We have resorted to storing precious archival materials in off site locations that do not have the environmental controls that are needed to keep important documents, pictures, newspapers, and books from deteriorating. We have also asked county officials to keep their records if at all possible until we are able to take them. Two very positive steps have been taken in the past two years that will help resolve the space problems. The North Dakota legislature provided funding for a compact storage system in the archives that will buy us some time until we can build the addition. You also provided \$50,000 to complete preliminary design work and also a model of the Heritage Center and addition. This work has all been completed.

I have handed out the Preliminary Design Booklet which will give you the details for the addition. If you look at the third page in the booklet you will see the breakdown for the 32,563 square foot addition. The budget breakdown is on the fifth page. We also have a model on display in the lobby of the Heritage Center if you want to see what the expanded building will look like. The original estimated total cost for the project with inflation figured in is \$6 million, but the design will be modified to fit within the \$5.5 million figure approved by the legislature. The building will be designed with the rails systems in the floor to facilitate adding compact storage in the future as it is needed. Our focus was to increase the building square footage as much as possible at this time since construction costs will only increase in the future. This will give us the space we need to operate for the next 20 years.

Budget Overview

State of North Dakota Bonding.....\$5,500,000
Special Funds to repay bonding.....\$300,000

Conclusion

We are asking for your support so that we will not lose important information that defines the history of the people of North Dakota. We offer great service and are charged with keeping our written history for the next century.

We have 200,000 visitors to the Heritage Center each biennium. Many of them visit our Library/Archives and research our collections for everything from newspaper ads to family history. We have answered over 14,000 requests during the last biennium and have averaged 1,046 visits to our WEB site each day. We have books, posters, blueprints, Governor's records, legislative records, attorney general's records, federal records, 150,000 photographic images, agency records, and county records. This comes to a total of 44,000 linear feet.

This is an important and outstanding archival collection of documents for North Dakota and one of the best in the United States. We must work to keep our collections current, accessible and well preserved for the future. I would be glad to answer any questions and will also call upon Mr. Gerald Newborg, State Archivist and Director of the State Archives and Historical Research Library to assist me in this effort.

Thank you for your interest and support.

Studies which have been done involving the needs of the State Historical Society,
including the State Archives and Historical Research Library:

Capitol Grounds Master Plan-	1969
	1970
	1973
	1984
	2000-2004

Capitol Grounds Landscape Master Plan	1984
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Legislative Council Studies:

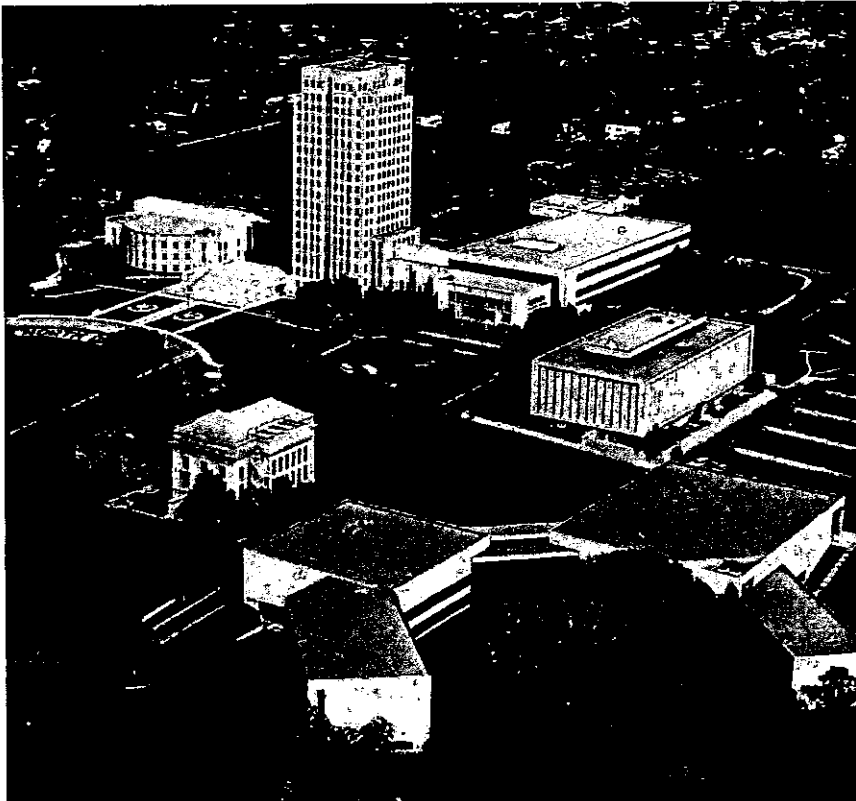
State Auditor's Report	
On Collections	1977
Board Performance Review	1977
Repairs and New Construction	1993
to Roofs	
Renovation for Storage space	1997
Self Assessment	1999
Preliminary Design Study	2004

North Dakota Heritage Center Development Report #1- 1976
Exhibition Master Plan- Wextel and Associates - 1976?

State Historical Society Self Study- Space needs Report- 1992



*Contact
Historical
Society Library
for a copy -*



NORTH DAKOTA HERITAGE CENTER RESEARCH COLLECTIONS EXPANSION

Preliminary Design Study

AUGUST 2004

NDUS 2005-07 Major Capital Project Ranking
For Projects Requiring a State General Fund Appropriation

SBHE Approved, Revised December 2004

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
Priority	Bill											
#	#	Project Description	Campus	Type	State	Other	Total	Other Source	Gen'l Fund	State Bond	Other	Total

2005-07 Executive Recommendation

2005-07 Budget Request

A=Addition; R=Renovation; NC=new construction

11 CAMPUSES

1	SB2023	Hazardous Material Handling/Storage	NDSU	NC	\$3,500,000		\$3,500,000		\$3,500,000			\$3,500,000
2	SB2023	Murphy Hall Renovation - Phase II	DSU	R	\$4,100,557		\$4,100,557		\$4,100,557			\$4,100,557
3	SB2003	WE Osman Bleacher Replacement	VCSU	R	\$250,000	\$32,000	\$282,000	private	\$250,000		\$32,000	\$282,000
4		Thatcher Hall Addition	MISU-BC	A	\$2,500,000		\$2,500,000					\$0
5	SB2003	Science Lab Renovation & Multi-Use Classroom Addition	LRSC	A/R	\$343,875		\$343,875		\$343,875			\$343,875
6		O'Kelly Hall Renovation-Ireland Lab Renovation	UND	R	\$3,500,000		\$3,500,000					\$0
7	SB2023	Electrical Distribution-Phase II of IV	NDSCS	R	\$736,000		\$736,000		\$736,000			\$736,000
	SB2023	Energy Improvement Projects	UND	R			\$0		\$2,331,554 1/			\$2,331,554
Total Ranked State Funded Projects - Campuses					\$14,930,432	\$32,000	\$14,962,432		\$593,875	\$10,668,111	\$32,000	\$11,293,986

Experiment Stations and State Forest Service

1	SB2023	Research Greenhouse Complex-Main Station	Exp. Sta.	NC/R	\$4,000,000	\$5,000,000	\$9,000,000	Private/Grant		\$2,000,000	\$2,500,000	\$4,500,000
2	SB2003	Seed Processing Facilities	Forest	R	\$65,000		\$65,000		\$65,000			\$65,000
3		Central Grasslands Headquarters Office Addition	Exp. Sta.	A	\$250,000	\$60,000	\$310,000	Private/Grant				\$0
	SB2023	North Central Agronomy Lab and Greenhouse	Exp. Sta.	NC		\$750,000	\$750,000	Private/Grant		\$440,000	\$880,000	\$1,320,000
Total Ranked State Funded Projects - Experiment Station and Forest Service					\$4,315,000	\$5,810,000	\$10,125,000		\$65,000	\$2,440,000	\$3,380,000	\$5,885,000

1/ To be repaid from energy savings resulting from improvements.

**TESTIMONY IN SUPPORT OF SECTION 3 (STATE FACILITY ENERGY
IMPROVEMENT PROJECT AUTHORIZATIONS) OF SENATE BILL 2023**

Kim Christianson, Energy Program Manager
ND Dept. of Commerce/Division of Community Services
(701) 328-4137; kchristianson@state.nd.us

Mr. Chairman, committee members, our office enthusiastically supports the proposed energy efficiency projects at the University of North Dakota included in SB 2023. We have reviewed the engineering analyses completed by Obermiller-Nelson Engineers and Poykko Engineering Design Services, Inc. and our engineer, Bill Huether, has certified that, to the best of his professional judgment, the information contained in their analyses is accurate.

I have handed out the following materials: a copy of my testimony; a copy of Section 54-44.5-08 pertaining to the State Facility energy improvement program; an Executive Summary of the proposed projects at UND; an expanded summary of the projects, and the Certification of Projects form by DCS's Energy Engineer.

Our office works closely with state facility managers and staff to identify potential energy efficiency improvements and to explore financing mechanisms. Section 54-44.5-08 requires our office to first work with state agencies to identify potential projects, and, to select facilities for in-depth energy audits to provide information on project costs along with estimated energy savings. We submit a list to the Governor's office for inclusion in his biennial budget. If it is proposed that evidences of indebtedness be issued to finance the purchase and installation of the proposed measures, we are required to certify that the project will result in sufficient annual savings to meet or exceed annual debt service payments.

As you can see from the attached Executive Summary, the University is proposing \$2,331,554 of energy improvements, with a resulting annual energy cost savings projected in the amount of \$332,858. This results in a simple payback period of 7 years. Based on current and projected bond rates, we expect to obtain sufficient energy cost savings to meet annual debt service payments over a ten year period.

These energy improvement projects not only result in lower energy consumption and costs, they also result in updated energy systems and improved living and working conditions. The proposed energy improvements at UND are good for students and staff, and good for North Dakota taxpayers.

EXECUTIVE SUMMARY

The State Facility Energy Improvement Program (SFEIP) was introduced and passed by the Fifty-sixth Legislative Assembly of the State of North Dakota. The ultimate objective is to provide a funding mechanism for the purchase and installation of energy improvements that result in energy and energy dollar savings. Energy cost savings will be used to pay back the project costs. The program is designed to identify potential state facility energy improvement projects and select facilities for in-depth energy audits. The audits will provide information on project costs along with estimated energy savings from implementation of those projects.

The following are the proposed projects:

2005 STATE FACILITY ENERGY IMPROVEMENT PROGRAM EXECUTIVE SUMMARY			
Facility (Building)	Est. Cost	Est. Savings	Payback (Yrs)
University of North Dakota			
Medical Education Research Center	\$ 45,655	\$ 4,917	9.3
West, McVey & Brandon Halls	\$ 317,926	\$ 37,852	8.4
Witmer Hall	\$ 116,095	\$ 16,148	7.2
Ryan and RTC	\$ 364,550	\$ 50,991	7.1
Merrifield Hall	\$ 116,070	\$ 13,372	8.7
University Housing and Children's Center	\$ 49,500	\$ 6,159	8.0
Hyslop Sports Center	\$ 174,264	\$ 24,765	7.0
Lab and Research Projects	\$ 341,045	\$ 61,826	5.5
Campus Lighting (75 Bldgs)	\$ 806,449	\$ 116,828	6.9
Grand Total	\$ 2,331,554	\$ 332,858	7.0

We have also enclosed the following items for your review:

- Expanded Summary of Projects
- Certification of Projects by DCS's Energy Engineer

Project Name	University of North Dakota
Project Engineer(s)	David P. Obermiller, P.E. (#3300) Obermiller-Nelson Engineers W. Brian Poykko, P.E. (#2666) Poykko Engineering Design Services, Inc.
Facility Coordinator	Randall S. Bohlman UND Physical Plant
Reviewed by	William J. Huether, P.E. (#3063) State Energy Engineer ND Department of Commerce
Date	October 29, 2004
Facility Summary	Total Cost: \$2,331,554 Annual Savings: \$332,858 Simple Payback: 7.0
Projects & Comments	<p>Medical Education Research Center</p> <p>Mechanical and Control Retrofit</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • Repair air leakage • Upgrade controls system • Repair and Modify VAV boxes <p>Project Cost: \$45,655 Annual Savings: \$4,917 Simple Payback: 9.3 yrs</p> <p>WEST, McVEY & BRANNON HALLS</p> <p>Heat Recovery System</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • Install heat recovery units <p>Project Cost: \$317,926 Annual Savings: \$37,852 Simple Payback: 8.4 yrs</p>

**Projects &
Comments
UND Cont.**

WITMER HALL

VAV Conversion and CO₂ Control

Recommendations:

- Install VAV Boxes
- Install CO₂ Control system
- Upgrade controls system

Project Cost: \$116,095

Annual Savings: \$16,148

Simple Payback: 7.2 yrs

RYAN HALL AND RTC

Controls Upgrade and Windows

Recommendations (Ryan):

- Upgrade current controls

Recommendations (RTC):

- Install VAV inserts to each of the seven zones of the AHU-1 Multizone Unit.
- Install a window retrofit kit over the existing windows.

Project Cost: \$364,550

Annual Savings: \$50,991

Simple Payback: 7.1 yrs

MERRIFIELD HALL

VAV Boxes and CO₂ Control

Recommendations:

- Install VAV Boxes in place of existing orifice plates
- Install CO₂ Control system

Project Cost: \$116,070

Annual Savings: \$13,372

Simple Payback: 8.7 yrs

Projects & Comments UND Cont.	<p>UNIVERSITY HOUSING AND CHILDREN'S CENTER</p> <p>Multizone VAV Conversion</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • Install VAV Boxes and improved control strategies. <p>Project Cost: \$49,500 Annual Savings: \$6,159 Simple Payback: 8.0 yrs</p> <p>HYSLOP SPORTS CENTER</p> <p>Mechanical and Control Retrofit</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • Installation of heat recovery unit for the pool • Install CO₂ Control system • Replace pneumatic controls with DDC controls for all of the HVAC equipment. <p>Project Cost: \$174,264 Annual Savings: \$24,765 Simple Payback: 7.0 yrs</p> <p>LAB AND RESEARCH PROJECTS</p> <p>Abbot Hall Research Facility - Mechanical Heat Recovery and Control Retrofit</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • Install heat recovery coils • Install lab control modifications <p>Biomedical Research Facility - Mechanical Heat Recovery System</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • Install heat recovery pumps and connect to existing heat recovery loops
--	--

**Projects &
Comments
UND Cont.**

Biomedical Research Facility (Lab and Tunnel) - Mechanical Heat Recovery System

Recommendations:

- Install heat recovery run around loop

School of Medicine and Health Services - Mechanical Control System

Recommendations:

- Rebalance the mechanical system

Project Cost: \$341,045

Annual Savings: \$61,826

Simple Payback: 5.5 yrs

BUILDING LIGHTING RETROFIT (75 BUILDINGS)

Lighting Retrofit

Recommendations

- Lighting retrofit (T12 -magnetic to T8 Electronic, CFLs, etc.)

Project Cost: \$806,449

Annual Savings: \$116,828

Simple Payback: 6.9 yrs

**NORTH DAKOTA
DEPARTMENT OF COMMERCE
DIVISION OF COMMUNITY SERVICES**

CERTIFICATION

1. I hereby certify that I have reviewed all the submitted projects, in accordance with section 54.44.5 of the North Dakota Century Code, and found all information therein to be accurate, to the best of my professional judgement.
2. I am a qualified Registered Professional Engineer in accordance with the standards and criteria established in the State of North Dakota.
3. I have no conflicting financial interests relating to the audits or any energy conservation measures considered by any of the submitted projects.

Engineer

William J. Huether

Signature

Registration Number

ND PE-3063

Date

October 29, 2004

54-44.5-07. Funding - Community action agency's share of funds - How determined.

1. If the Congress of the United States approves a block grant system to fund social programs, the state may use, subject to legislative appropriation, the block grant funds or in-kind services to provide a level of financial assistance for community action agencies to carry out community action programs through the community services block grants pursuant to the federal Community Services Block Grant Act [Pub. L. 97-35; 95 Stat. 511; 42 U.S.C. 9903] and other federal funding sources that may be appropriate.
2. The division shall distribute the federal community services block grant funds received under the federal Community Services Block Grant Act [Pub. L. 97-35; 95 Stat. 511; 42 U.S.C. 9903] and shall allocate the funds as follows:
 - a. At least ninety percent must be allocated to community action agencies;
 - b. The greater of fifty-five thousand dollars or five percent may be allocated for state administrative expenses; and
 - c. Not more than five percent may be allocated for state discretionary projects.
3. Each community action agency, in accordance with procedures established by the division, is entitled to receive a portion of available federal Community Services Block Grant Act [Pub. L. 97-35; 95 Stat. 511; 42 U.S.C. 9903] funds based on that agency's poverty population relative to the state's total poverty population. The division shall determine poverty levels using criteria established by the United States office of management and budget.
4. Each community action agency is governed by procedures established by the division as it relates to the community services block grant program.

54-44.5-08. State facility energy improvement program. By August fifteenth of each odd-numbered year, the office shall inform all state agencies and institutions of the state facility energy improvement program. The office shall work with interested agencies and institutions to identify potential state facility energy improvement programs and select facilities for indepth energy audits designed to provide information on project costs along with estimated energy savings from implementation of those projects. The office shall notify affected utilities to discuss the potential impact on the utility and its customers of the proposed energy savings or conservation project. Upon completion of the energy audit, the office, in consultation with the interested agencies or institutions, shall submit a list of proposed projects to the governor, accompanied with the estimated cost of each project and energy savings resulting from the projects. The office shall submit a report listing the proposed energy savings or conservation projects to the governor by September first of each even-numbered year. The governor shall include the proposed energy efficiency or conservation projects in the biennial budget. The governor shall make available to the legislative assembly a report prepared by the office on each energy efficiency or conservation project, a description of the improvements to be financed, the estimated cost of each project, the total cost of the program, and the proposed method of financing the program. If the office proposes that evidences of indebtedness be issued to finance the energy efficiency or conservation improvements, the office shall provide an assurance that energy savings resulting from the improvements will be sufficient to equal or exceed the annual debt service of the evidences of indebtedness. In determining whether the energy savings will be sufficient to equal or exceed the annual debt service, the office, in consultation with the interested agencies or institutions, may analyze state agency utility data to identify potential projects; perform detailed energy audits of state facilities, including contracting for audits if necessary; and provide training to facility maintenance staff to ensure that sufficient cost-savings are realized from projects to cover the debt service. The governor shall include in the executive budget recommendation for each state agency or institution participating in the state facility energy improvement program an estimate of the annual energy cost-savings expected for that agency,

and, if needed, a projection of the debt service on program bonds that is apportioned to that agency. The executive budget recommendation must then reduce the current level of utility appropriations by the amount needed for debt service retirement and recommend an appropriation of that amount to the state building authority. Any appropriation of an amount needed for debt service retirement to the state building authority is not subject to the limitation contained in section 54-17.2-23.



North Dakota Division of Community Services

A Division of the Office of Management and Budget

14th Floor -- State Capitol
600 East Boulevard Avenue -- Dept. 105
Bismarck, ND 58505-0170
(701) 328-2094 Telephone
(701) 328-2308 Fax
(701) 328-2404 TDD



January 19, 2001

The Honorable Tony Grindberg
State Senator
600 East Boulevard Avenue
Bismarck, ND 58505

RE: SB 2023 - SECTION 3

Dear Senator Grindberg:

During the hearing on the three energy improvement projects contained in SB 2023, you asked a question about why the University of North Dakota project is not structured as a third-party performance contract, similar to the campus-wide program at the North Dakota State College of Science in Wahpeton. I'm hopeful this letter will serve to better clarify our response.

As I mentioned at the time, we are very supportive of performance contracting and have worked with NDSCS all throughout their process, specifically with physical plant administrator, Wayne Flack, and his staff. We are also currently working with Valley City State University and Mayville State University on their performance contract solicitation. The state bonding mechanism established last session by SB 2312 does, however, offer some advantages to state institutions and, in some cases, is a better fit.

For example:

- A third party performance contract by necessity contains additional costs such as audit fees, measurement and verification costs, overhead and profit, that can be avoided through the state bonding mechanism. This enables the institution to include a number of additional energy improvements that might otherwise not qualify under the performance contract 10-year payback requirement. We estimate that nearly 25 percent of UND's proposed energy efficiency improvements would not qualify under the performance contract guidelines.
- UND is in a relatively unique position to carry out a comprehensive energy improvement program such as the one proposed, because they have the qualified personnel, resources,

and experience within plant services and other campus departments. Most other state facilities do not have similar capabilities and would therefore benefit from a third party performance contract.

- The bonding mechanism allows facilities to apply for specific, targeted improvements to energy systems, that generally would not be attractive to performance contractors.
- Most of the firms participating in performance contracting are from out of state. While much of the work is subcontracted to local firms, the fact remains that a good portion of the contract funding leaves the state. The bonding mechanism keeps more of the dollars within North Dakota.

Our goal is to reduce energy consumption and costs in state facilities, thus saving taxpayer dollars. The bonding mechanism established by SB 2312 and now proposed for use in SB 2023 is one of several tools available to help accomplish this goal. Your support of the initial three projects contained in SB 2023 would be greatly appreciated.

I hope this better answers your question. We would be happy to meet with you or attempt to answer any other questions you might have. I can be reached at 328-4137 or you can contact Darin Scherr, State Energy Engineer, at 328-1022.

Sincerely,



Kim Christianson
Energy Program Manager

pa

cc: Committee Members, Senate Appropriations

O'KELLY - IRELAND HALL FACT SHEET

Background

- One of the largest buildings at UND
- Constructed in phases between 1940 and 1965
- Served as the School of Medicine from 1941 - 1991
- Located at the center of the campus in a prime location
- Excellent structural integrity, built to last over a hundred years
- Mechanical systems, windows, are obsolete
- Does not have a fire suppression (sprinkler) system

Legislative History

- First introduced in 1995 for a complete renovation (\$8,750,000)
- 1997: Forwarded by NDUS as a ranked project (\$8,750,000)
- 1999: Not forwarded by NDUS as a ranked project.
- 2001: Forwarded by NDUS as a ranked project at \$8,750,000
- 2002: Applied for and received \$15,000 in pre-planning funding from OMB to develop schematic designs and cost estimates. Request reduced to \$3.5 million for infrastructure only.
- 2003: Forwarded by NDUS as a ranked project at \$3,500,000
- 2003: UND invests \$600,000 in renovation (Geography, Integrated Studies). Cannot complete any further work without infrastructure improvements.
- 2005: Not included in Governor's Budget.

Current Use: Facility has a mixed use, including classroom, office, and support space that is very inefficient. Opportunities to improve the utilization are extremely limited due to code restrictions involving fire suppression and mechanical systems.

Planned Use: Emphasis on College of Arts & Science departments and functions. Renovation plans would include additional classroom space, learning labs, and department offices once mechanical systems are upgraded.

Scope of work: Replace existing mechanical systems with modern, code compliant units. Install a building wide fire suppression system. Replace and/or restore exterior windows.

Summary: UND has submitted O'Kelly – Ireland Hall as a priority capital project request each biennium since 1995. Justification for the work has been demonstrated and re-demonstrated. OMB pre-planning funds provided a detailed cost estimate. Without a substantial investment in infrastructure, UND will be unable to complete any additional small scale renovations due to code limitations.



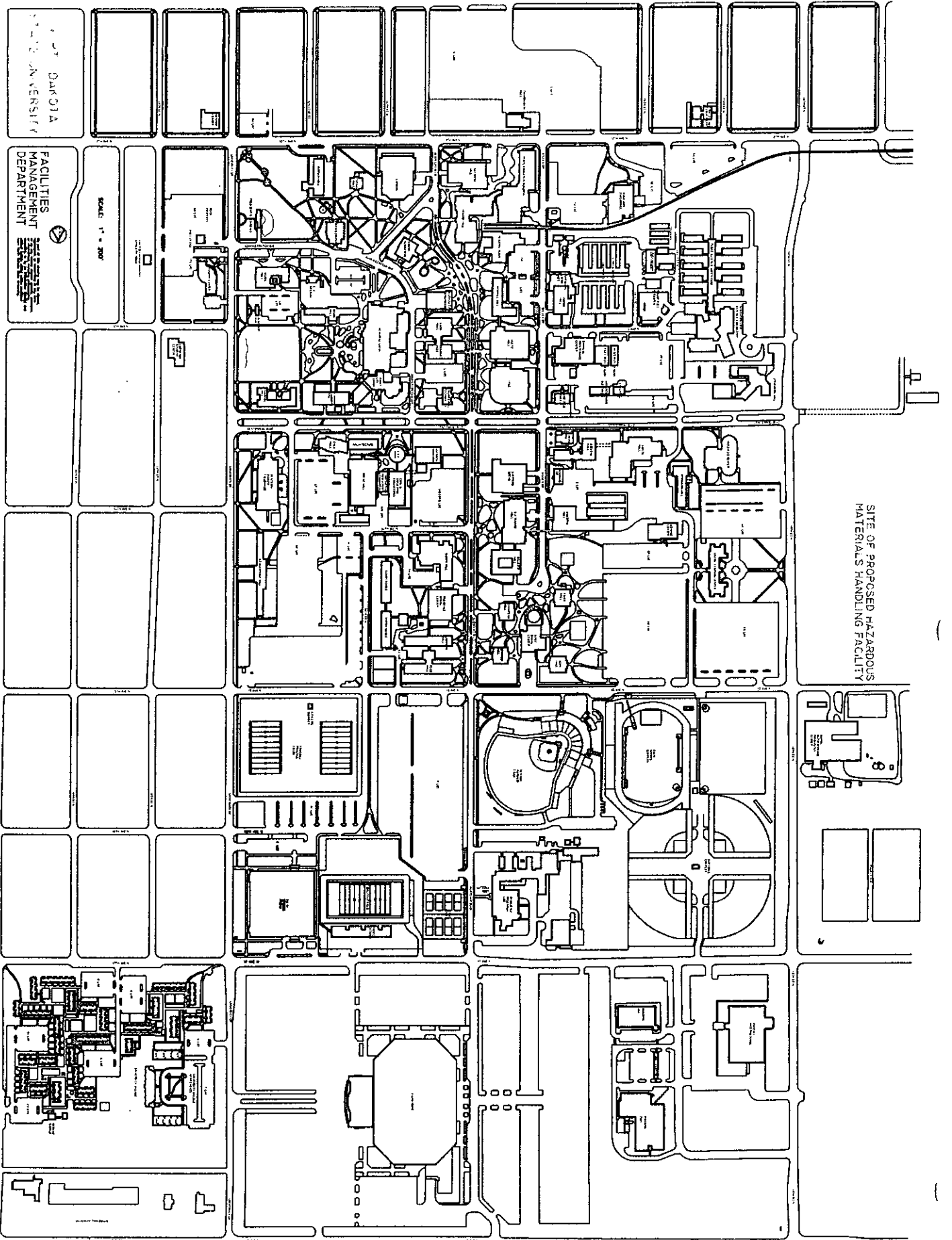
NORTH DAKOTA STATE UNIVERSITY

*Photos with this
testimony would
not copy -*

HAZARDOUS MATERIALS HANDLING FACILITY

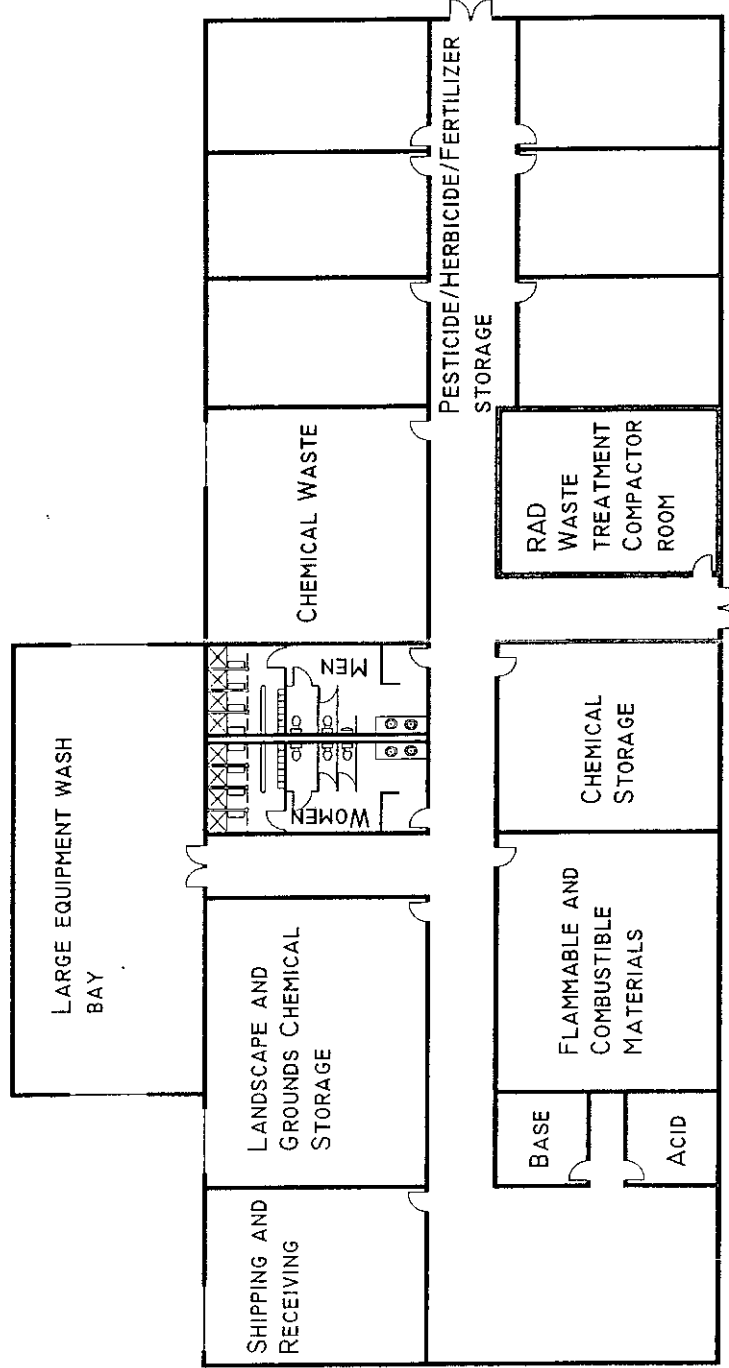
2005 - 2007

SITE OF PROPOSED HAZARDOUS
MATERIALS HANDLING FACILITY



DAROLA
FACILITIES
MANAGEMENT
DEPARTMENT

SCALE: 1" = 200'



CONTAMINATED WATER DISCHARGE WILL BE MAINTAINED IN LOCALIZED CONTAINMENT APPARATUS'

SCALE: 1"=30'-0"

S:\SHARED\PHYSICAL PLANNING\ACAD-DWG\TRACINGS\

PROPOSED HAZARDOUS MATERIALS HANDLING FACILITY

NORTH

X

NDSU Greenhouse Complex

Ken Grafton
Director, North Dakota Agricultural Experiment Station

In testimony to the Senate Appropriations Committee
January 12, 2005

The North Dakota Agricultural Experiment Station and NDSU have identified the construction of Phase 1 of a greenhouse facility as critical to remaining at the forefront of agronomic, genetic, pathological, and entomological research. The State Board of Agriculture and Education also ranked this as their top building priority (with a much needed headquarters addition to Central Grasslands Research and Extension Center as their second priority item). This research focus benefits North Dakota agriculture by developing better pest management systems and improved crop varieties that have given our state a world-wide reputation as a supplier of high quality foods and feeds. Our collaborative, problem-solving research has, and will remain, critical for our farmers and ranchers to be competitive in a global economy.

Much of our current plant-based research is conducted in greenhouse research facilities that are, quite frankly, inadequate. These facilities were constructed in the 1950's and, while useful for a number of research activities, are not approved for utilizing new, state-of-the-art techniques. Current facilities do not maintain consistent temperatures during the winter months – such variations are problematic when conducting experiments. Also, our existing greenhouses are not widely used in the summer months because they cannot be adequately cooled. Even more problematic is the overall limitation of greenhouse space to conduct research. We are in a "zero-sum" situation for space – for example, if our soybean breeder begins to screen for resistance to soybean rust (which will happen as the rust will probably continue to spread northward from Southern states), he will either be forced to reduce another component of his program or acquire space from another commodity such as wheat or barley.

Restricted-access Level 2 containment facilities would give our scientists the opportunity to conduct research on transgenic and novel crops, exotic pathogens and insect pests, invasive species, and other research areas to be conducted. These facilities also would allow our scientists to remain competitive for federal research dollars. Additionally, the very real dangers from acts of terrorism require constant awareness of threats on the Nation's food supply. Issues involving food security, food safety, and other biosecurity needs also would utilize greenhouse containment facilities. It is imperative

that North Dakota remains a trusted provider of safe, wholesome food to the nation and the world.

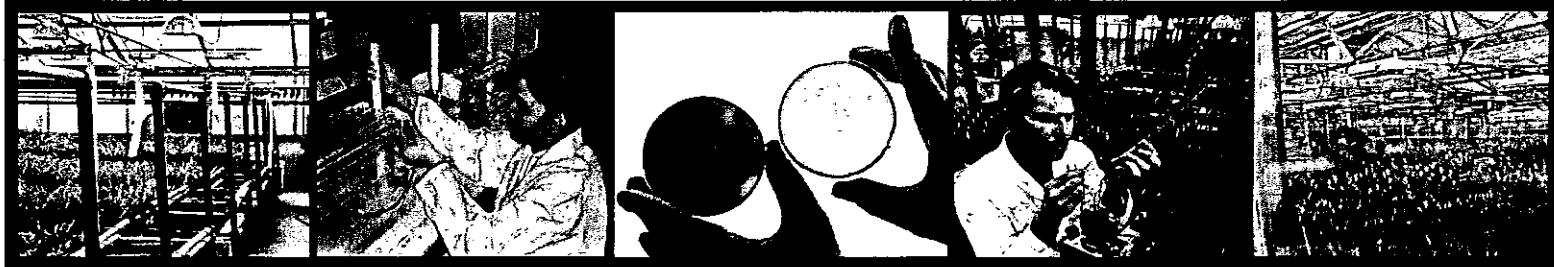
North Dakota agriculture and NDSU should have a common goal to continue to remain competitive in crop production, crop quality, and remain at the forefront of crop research that is of benefit to the state. In order to achieve this goal, it is imperative that our scientists have facilities that allow them to utilize ALL of the tools in their arsenal to solve problems faced by the North Dakota farmer. Simply put, our scientists do not have the facilities to research current and future needs and cannot keep current in their research. Failure to achieve this goal will result in a continual decline in research productivity, as our best scientists leave for other universities that can provide such facilities, and our eventual inability to attract gifted young scientists.

The return on investment from NDSU crop research is dramatic. For example, 'Alsen' HRSW was valued at over \$100 million per year, based only on yield improvements over 2375. This is a very conservative estimate of the actual value of this variety, as it does not include any economic multiplier, nor does it reflect the savings farmers realized by not spraying fungicides to control Fusarium head blight or the higher prices paid because of improved quality. Cost of fungicide and application is approaching \$20/acre – Alsen, grown on 37% of the acreage in 2003 and 30% in 2004 saved tens of millions of dollars to the state's wheat farmers. Typically, the state sees a 10-12 fold return on investment for agricultural research at NDSU. As new technologies are adopted for variety improvement, such examples will become rare if facilities are not available to use those technologies.

The North Dakota Agricultural Experiment Station request for greenhouse facilities was ranked as the number one capital construction project for the North Dakota Agricultural Experiment Station and approved by the State Board of Higher Education in the 2003-05 Biennial request (funding not approved by the Legislature). This request remains our top construction priority. The Governor's proposed budget identified \$2 million in bonding and \$2.5 million from other sources. This is half of the total amount needed for Phase 1.

Phase One: Research Greenhouse Complex

for 21st Century Agriculture



Each new variety developed, each discovery made, directly or indirectly, provides increased income for North Dakota producers, the agricultural industry and the economy.

Agricultural Research Benefits to North Dakota

- Agriculture is the leading industry in North Dakota.
- Food/fiber production generates \$4 billion annually.
- Crop production totals 70% of total farm revenue.
- ND leads the US in the production of 11 crops.

Why Additional Space Is Needed

- Bio-secure greenhouse space is needed to conduct research on new crops, new disease and insect pests using conventional and novel techniques.
- Agronomic research including molecular genetics, biotechnology and biochemistry require secure facilities.
- Research areas in biosecurity, food security and food safety will benefit from these facilities.
- Insufficient space and inadequate facilities are restraining NDSU scientists' progress limiting maximum benefit to the state.
- NDSU scientists are unable to compete successfully for federal grants due to lack of adequate greenhouse containment facilities.
- The smaller units planned will provide maximum benefit for specialized, focused research in molecular genetics, pathology and entomology.

RESEARCH BENEFIT EXAMPLES

New crop varieties: Typically, new crop varieties released by NDSU scientists generate on average more than \$15 million of new income annually.

- The release of HRSW variety **Alsen**, developed for resistance to Fusarium head blight, is conservatively estimated to provide \$100 million annual benefit (no economic multiplier values included).
- New wheat variety **Steele-ND** combines a higher yield potential than Alsen, combined with Fusarium resistance and leaf rust resistance.

Other examples:

- Increased value of durum wheat due to higher yields and better quality.
- High quality malting barley varieties (**Drummond** and **Conlin**) approved as malting barley cultivar.
- High protein barley for livestock feed.
- Oat variety with higher Beta-Glucan levels for improved human nutrition (Beta-Glucans reduce cancer risks).
- New flax variety, **Carter**, with high levels of Omega-3 fatty acid, important for human nutrition.
- New varieties of bean, potato and soybean with improved disease and insect resistance and agronomic traits.

New improved varieties provide income not only through increased yields, but by increasing market value and expanded national and international trade.

New advances in genetics, plant breeding, and plant pathology will allow even greater advances in crop variety development

Continued integrated, collaborative research with up-to-date technology and equipment is critical to allow our farmers and ranchers to remain competitive in a global economy.

The ability to complete research quickly is an added benefit to North Dakota.

Funding Requested

State \$2 million - Other \$5 million

NDSU

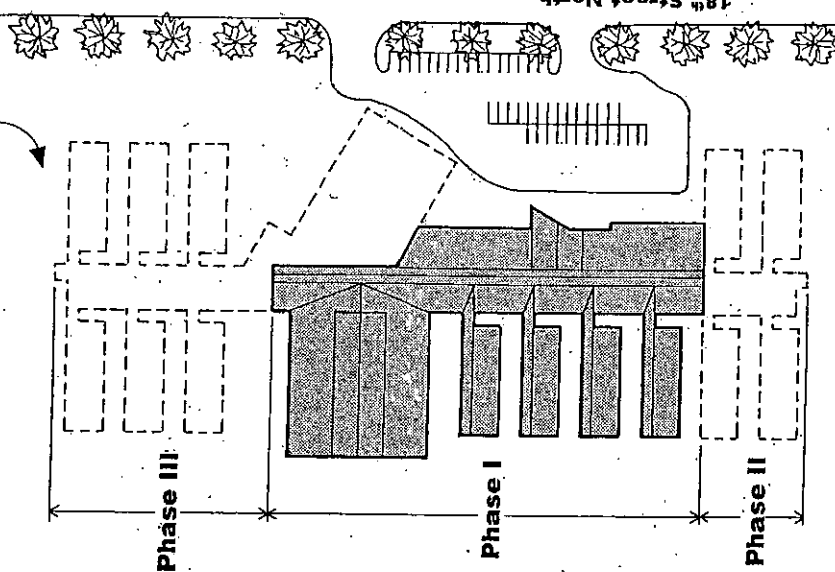
NDSU is an equal opportunity institution.

Proposed Research Greenhouse Complex

North Dakota Agricultural Experiment Station

15th Avenue North

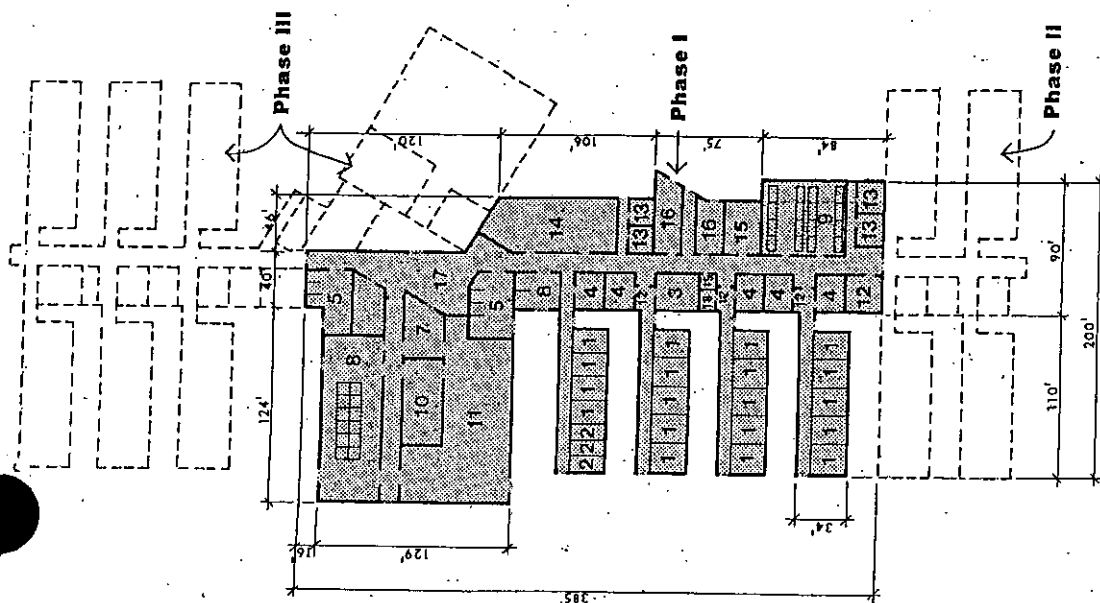
Area of Future North Expansion



SITE PLAN

- 1 Transgenic Research Rooms (15 @ 460sf and 4 @ 390sf)
- 2 Disease Inoculation-Plant Science (3 @ 252sf)
- 3 Spray Chambers (1 @ 420sf)
- 4 Research Laboratories (5 @ 487sf)
- 5 Clean Soil Storage (Total-2030sf)
- 6 Plant & Soil Disposal (Total-1008sf)
- 7 Autoclave Rooms (1080sf Total)
- 8 Dryer Facilities (540sf)
- 9 Growth Chambers - Transgenic (3672sf)
- 10 Threshing Room - Transgenic Crops (6532sf)
- 11 Seed Cleaning - Transgenic Crops (1722sf)
- 12 Cart/Equip. Storage Areas
- 13 Toilet & Locker Rooms
- 14 Mechanical Room (Total 2115sf)
- 15 Break Room (988sf)
- 16 Administration/Security (Total 3154sf)
- 17 Circulation Areas
- 18 Chemical Storage
- 19 Janitorial/Maintenance

Phase I approx. 56,000 sq ft
2/17/04 approx \$9,000,000
Phase II approx. 17,000 sq ft
Phase III approx. 43,600 sq ft



FLOOR PLAN SCHEMATIC



Your donation to the

North Central Research

Extension Center's new

agronomy research

laboratory is an

investment in the future

excellence of agricultural

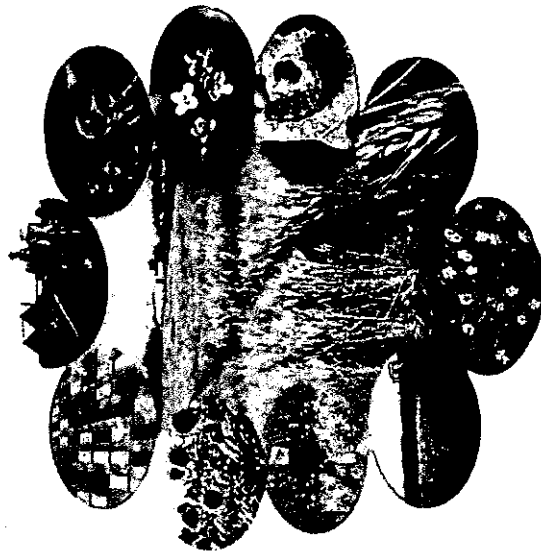
research and economic

development in north

central North Dakota.

**North Central Research
Extension Center's**

Agronomy Research Laboratory



For more
information on
how you can help
make this facility
a reality, contact
members of the

Capital Campaign Committee

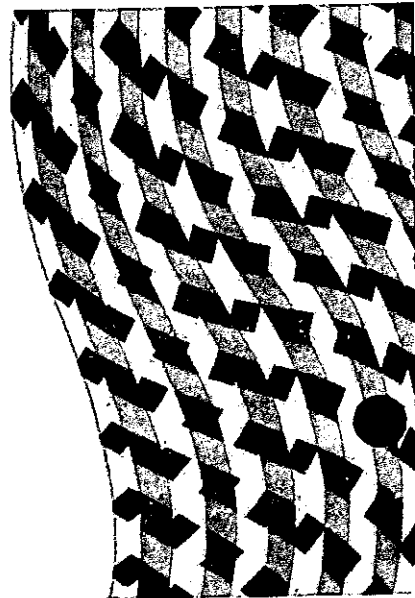
Or contact:

Tim Bryan
Chairman

North Central Research
Extension Center

5400 Highway 83 South
Minot, ND 58701

Phone: 701-857-7679



The NDSU has launched a capital campaign, an agronomy research laboratory and greenhouse to provide new and more efficient research opportunities and capabilities.

Research emphasis of the NCREC includes general agronomy and specific disciplines of Plant Breeding, Weed Science, Plant Pathology, Entomology, and Soil Science. Currently, research is conducted on four floors of an old seedhouse constructed in 1949.

- The current lab is inadequate for the twenty full-time and seasonal employees who share a 24'x14' space.

- The elevator is broken, with a cost of more than \$30,000 to repair. More than 15,000 filled harvest bags must be carried to the second or third floor for cleaning, analysis, and storage.

- Valuable research is jeopardized because harvest is often delayed due to insufficient dryer space for the quantity of research projects conducted.

- Breathing and working conditions are difficult during the seed cleaning process because of the inadequate dust ventilation system.

- The seed cleaning area is not heated or cooled,

making working conditions difficult during temperature extremes, and has resulted in computer malfunctions and lost data.

- Computers are not connected to the main office network.



The New Agronomy Research Lab

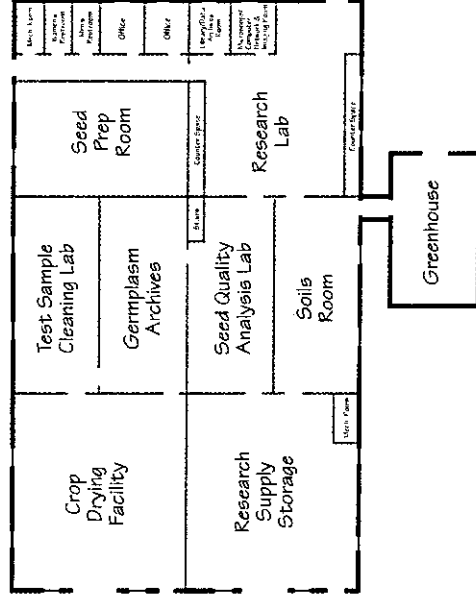
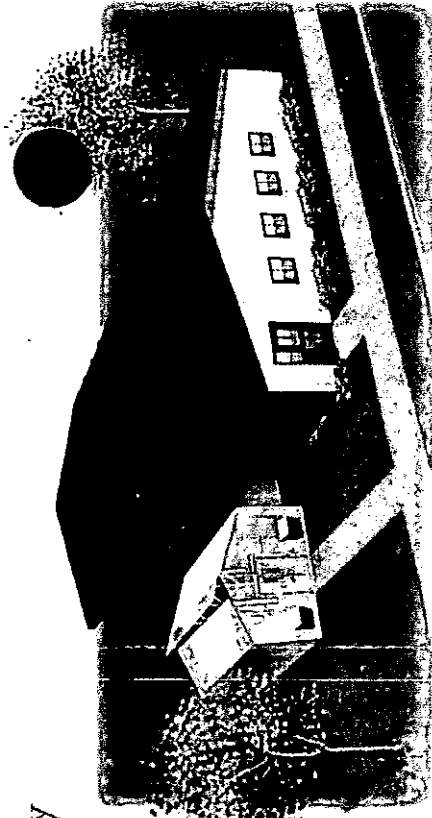
The new research lab will create a more efficient flow of materials from seed preparation through harvesting, seed cleaning, and sample analysis. A greenhouse, spray chamber, and growth chamber will fill a critical void in our research capabilities, complementing our field research with the ability to conduct studies under controlled conditions.

The lab will provide a safer and cleaner working environment, as well as a climate controlled area for germplasm archives.

The Benefits

The expanded research laboratory will provide a work environment that:

- Ensures more accurate and detailed production information that can be used to optimize yields.
- Enables the discovery and development of new cropping practices and pest management methods. This helps to ensure that producers have the latest technology to combat pests and optimize soil fertility.
- Is more suitable for oil and protein analysis using the NIR/NMR. Since 1999, this equipment has saved NDSU nearly \$250,000, compared to commercial analysis.
- Eliminates elevators and stairs by locating all rooms on one floor.
- Provides temperature controlled areas to eliminate data inconsistencies that occur from temperature fluctuation.
- Increases available working areas for crop production research including pest diagnostics, seed treating, counting, weighing, packaging, drying, washing, dissecting, rating, etc.
- Enhances education and outreach programs.



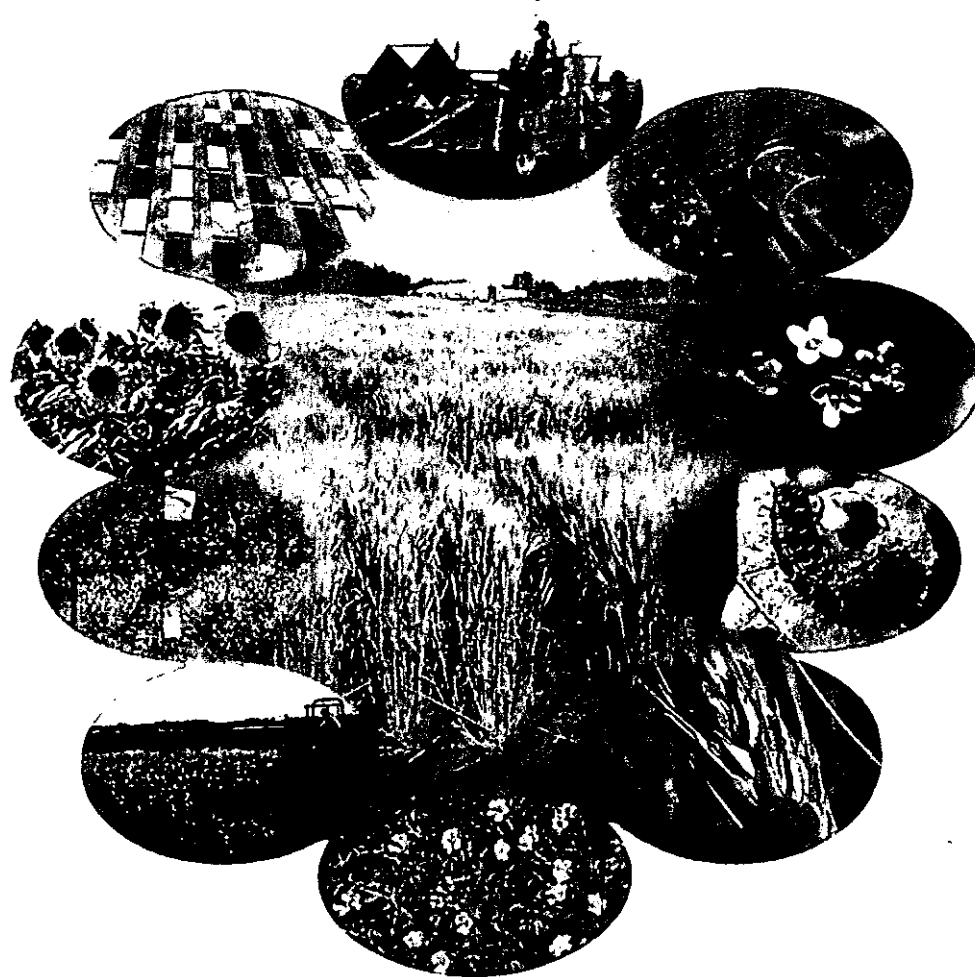
The Greenhouse

Greenhouse research options locally or at the main station in Fargo are restricted due to limited greenhouse space, as well as logistical and time constraints. The greenhouse will:

- Create opportunities to conduct preliminary crop evaluation, weed, disease, and insect studies prior to the growing season. Controlled conditions will provide opportunities to study the influence of soil pH, fertility, relative humidity, temperature, etc., on crop and pest management.
- Enhance educational activities such as hands-on training in weed, disease, and insect identification, nutrient deficiencies, and crop staging in workshops and crop scout schools.

North Central Research Extension Center's

Agronomy Research Laboratory



North Dakota
State University

The NCREC has launched a capital campaign for an agronomy research laboratory and greenhouse to provide new and more efficient research opportunities and capabilities.

The North Central Research Extension Center is a 1200-acre foundation seed farm and research facility that plays a major role in food production in North Dakota and the nation. The research center tests varieties of 40 crops and conducts research in weed science, entomology, plant pathology, soil science, and agronomy.

The region served by the research center produces:

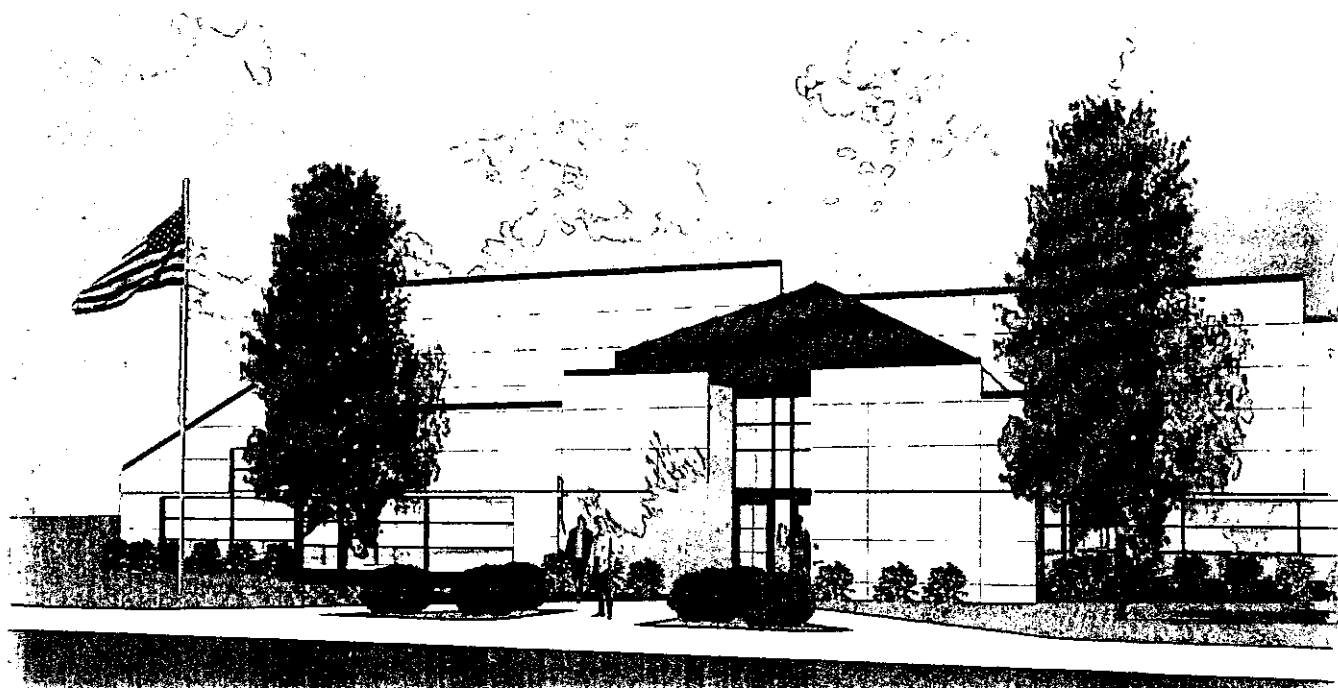
- 45% of the nation's durum
- 42% of the nation's canola
- 38% of the nation's field pea
- 22% of the nation's sunflower
- Almost half of the state of North Dakota's barley

On the disc:

A five minute video tour of our current facilities narrated by Al Gustin.

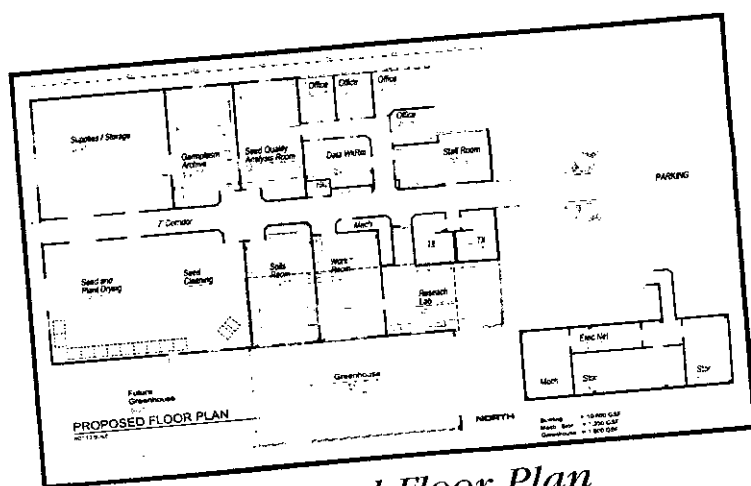
System requirements:

- Microsoft Windows
- CD-ROM drive



The New Agronomy Research Lab

The new research lab will create a more efficient flow of materials from seed preparation through harvesting, seed cleaning, and sample analysis. A greenhouse, spray chamber, and growth chamber will fill a critical void in our research capabilities, complementing our field research with the ability to conduct studies under controlled conditions. The lab will provide a climate controlled area for germplasm archives, as well as a safer and cleaner working environment.



Proposed Floor Plan

The Greenhouse

Greenhouse research options locally or at the main station in Fargo are restricted due to limited greenhouse space, as well as logistical and time constraints. The greenhouse will:

- Create opportunities to conduct preliminary crop evaluation, weed, disease, and insect studies prior to the growing season. Controlled conditions

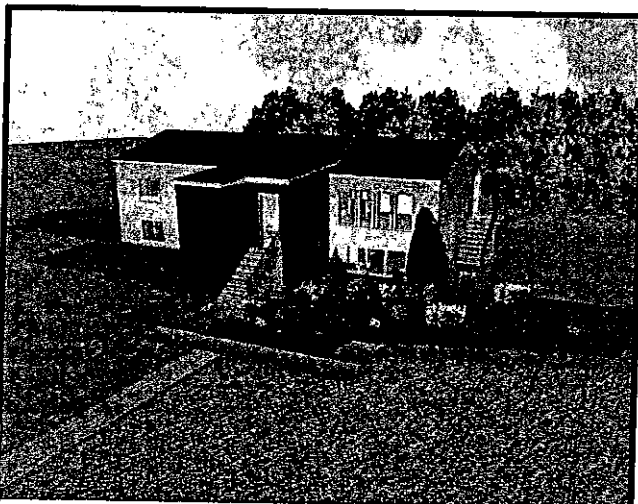
will provide opportunities to study the influence of soil pH, fertility, relative humidity, temperature, etc., on crop and pest management.

- Enhance educational activities such as hands-on training in weed, disease, and insect identification, nutrient deficiencies, and crop staging in workshops and crop scout schools.



Central Grasslands Research Extension Center Office Addition

The Central Grasslands Research Extension Center (CGREC) represents the Coteau region of North Dakota. This area, of North Dakota, extends from Divide and Burke counties in north western North Dakota in a southeasterly direction through Dickey County. This area contains 5 million acres (44%) of the state's rangeland where 42% of the state's cattle are raised on 38% of the state's farms.



Artist's depiction of current office building



Artist's depiction of office building
with new addition

The need for an office addition at the CGREC is based on the need for more space for both conference facilities and office and lab space. The request for the office addition at the CGREC was reviewed by the State Board of Agriculture Research and Education and prioritized as the number 2 building priority for NDSU agriculture. The request was placed in SB-2023 by the Senate at \$350,000.

At present, the office building has five offices on the main floor as well as a receptionist desk and bathroom. One office is shared by two of the staff and one of our staff maintains an office in another building at the center. The ground floor of the office contains three sleeping rooms, a herbarium/sample prep room, a kitchen, bath, and conference room that will accommodate 12 people comfortably.

The Center has recently been awarded a USDA grant which includes the addition of one range extension/research position. In 2004 the center signed a Memorandum of Understanding (MOU) with the Chinese Academy of Science, Institute of Botany to host visiting scholars. These visiting scholars need office space and a larger lab room to prepare samples for weighing and processing. A larger herbarium/library is also needed for plant identification.

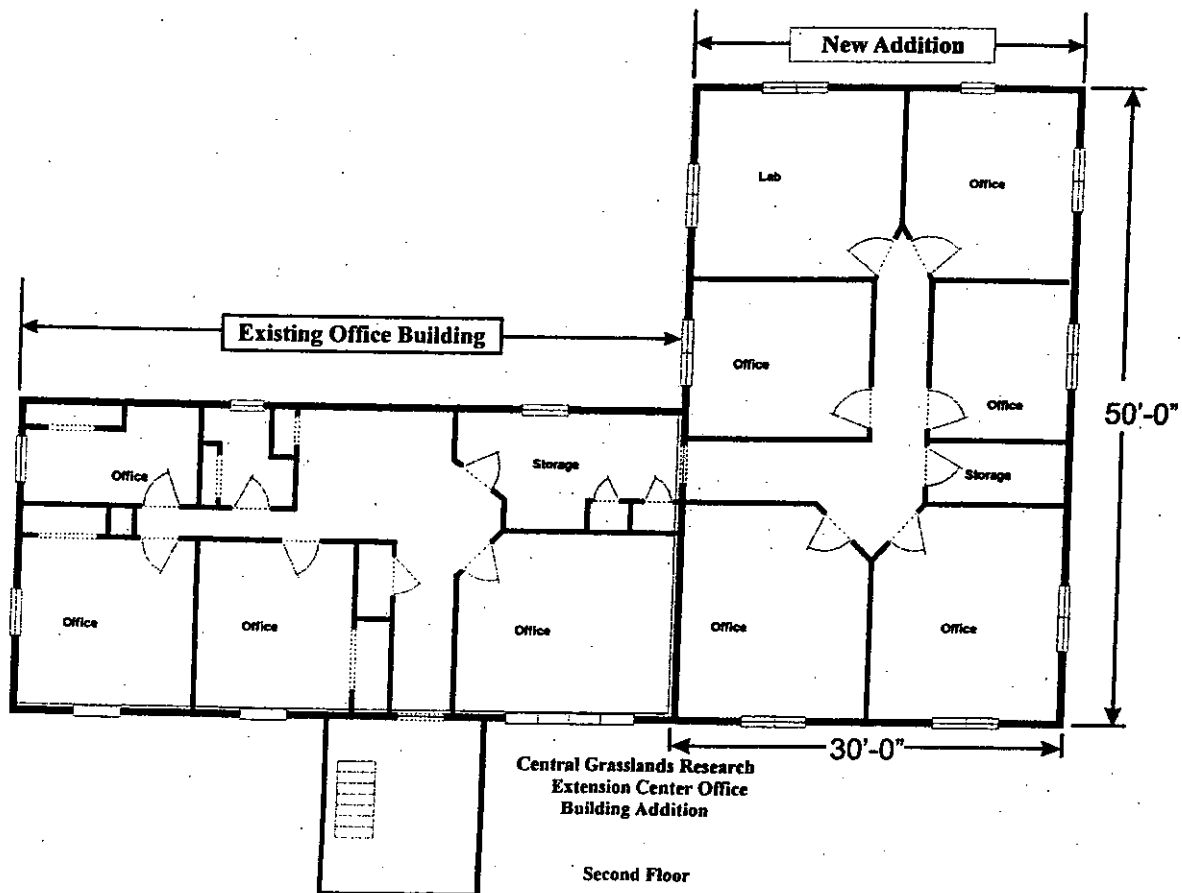
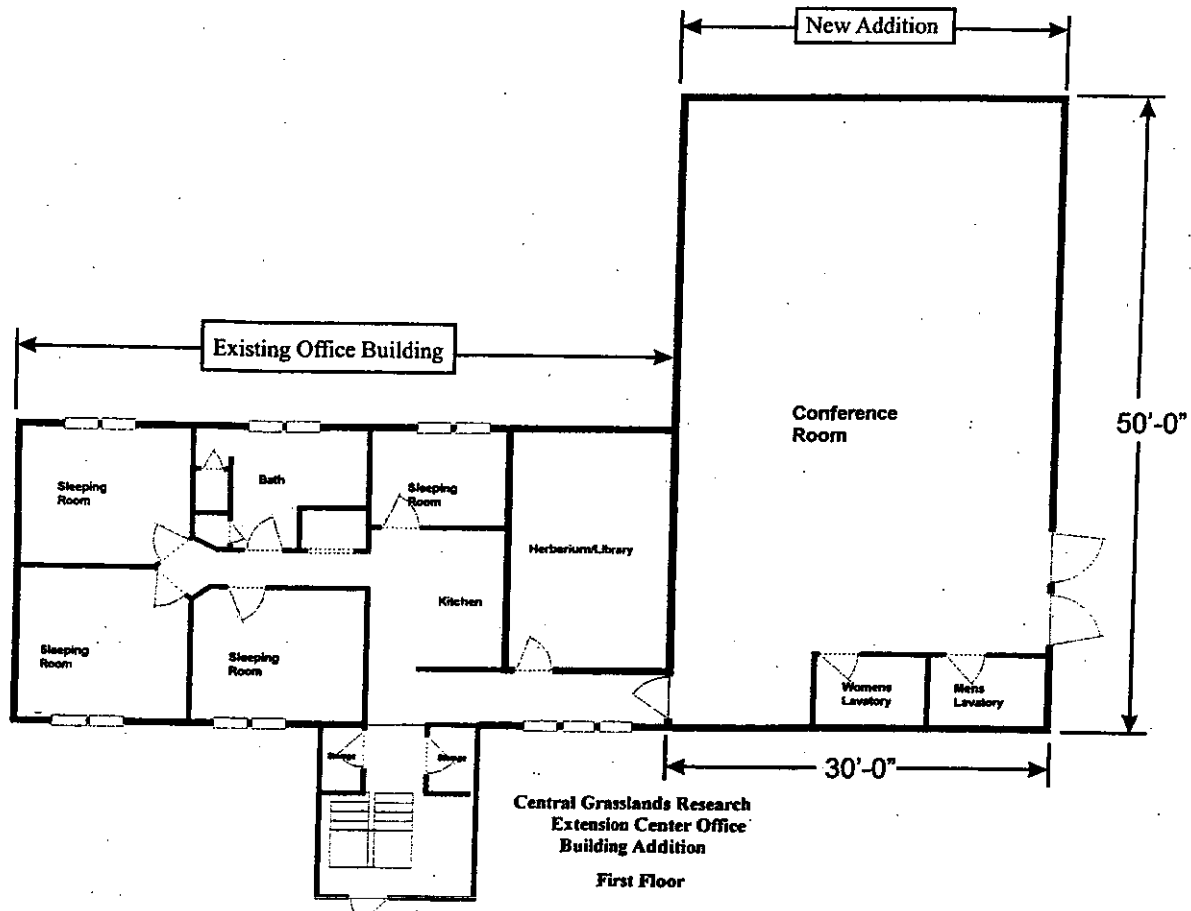
With the advent of video conferencing and the potential for an enhanced outreach program at the center, there is a need for larger conference room space. The experience of other research centers that have expanded conference facilities indicated that the number of meetings and usage of the facility increased dramatically when the new facility was in place.

In Summary

- ★ The center is already short of space with two people in one office and one person maintaining an office in another building.

★ Newly received grant funds will establish an additional outreach position which will require additional office space and generate more meetings.

★ The recently signed MOU with China is the beginning of a visiting scholar program which will bring in scientists from outside the center to work on projects in the Coteau region.





**TESTIMONY
ON
SENATE BILL NO. 2023 (BONDING BILL)**

JANUARY 12, 2005

**MURPHY HALL
RENOVATION-*PHASE II***



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MAJOR CAPITAL PROJECT

Priority #1: Murphy Hall Renovation/Addition

: Phased

Projected Cost Estimate:	\$9,982,604
2003-2005 Appropriation: Addition	\$5,882,047
2005-2007 Request: Renovation	\$4,100,557

MURPHY HALL RENOVATION AND ADDITION PROJECT

Factors contributing toward phased construction:

- Asbestos abatement is required within the original structure.
- There was an absence of alternative specialized laboratory space to support the need for ongoing course delivery.

MURPHY HALL RENOVATION AND ADDITION PROJECT

Phase I:

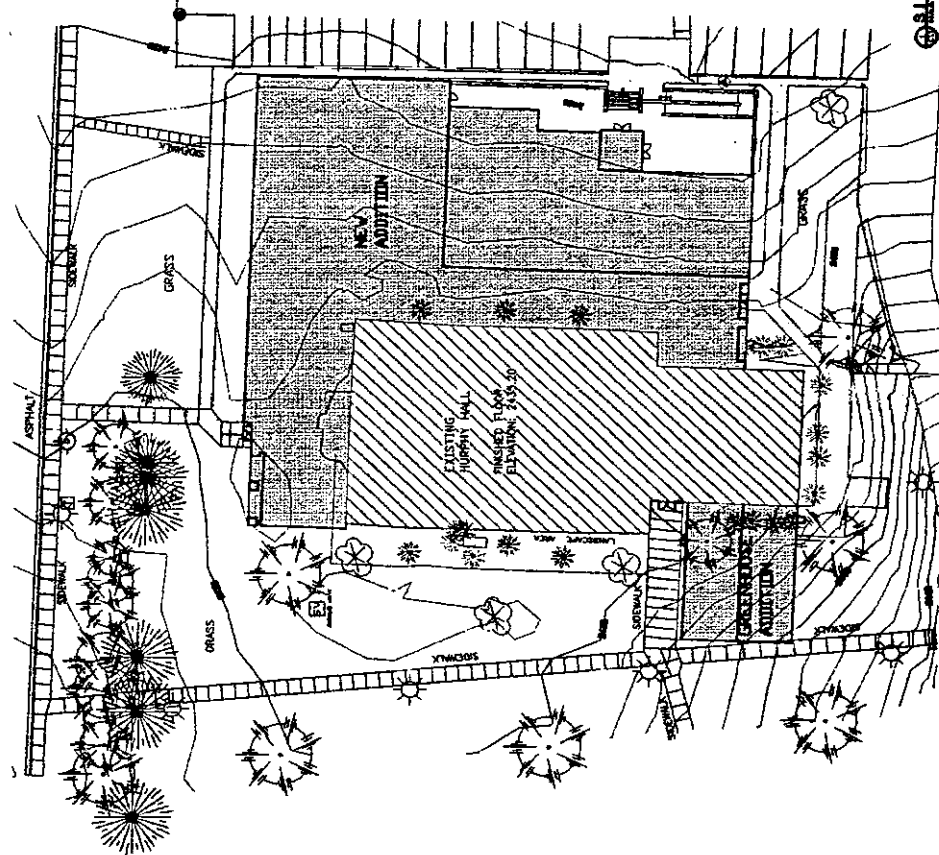
Address the construction of an addition to provide alternative lab space in support of Phase II while the majority of the original building remained occupied.

Phase II:

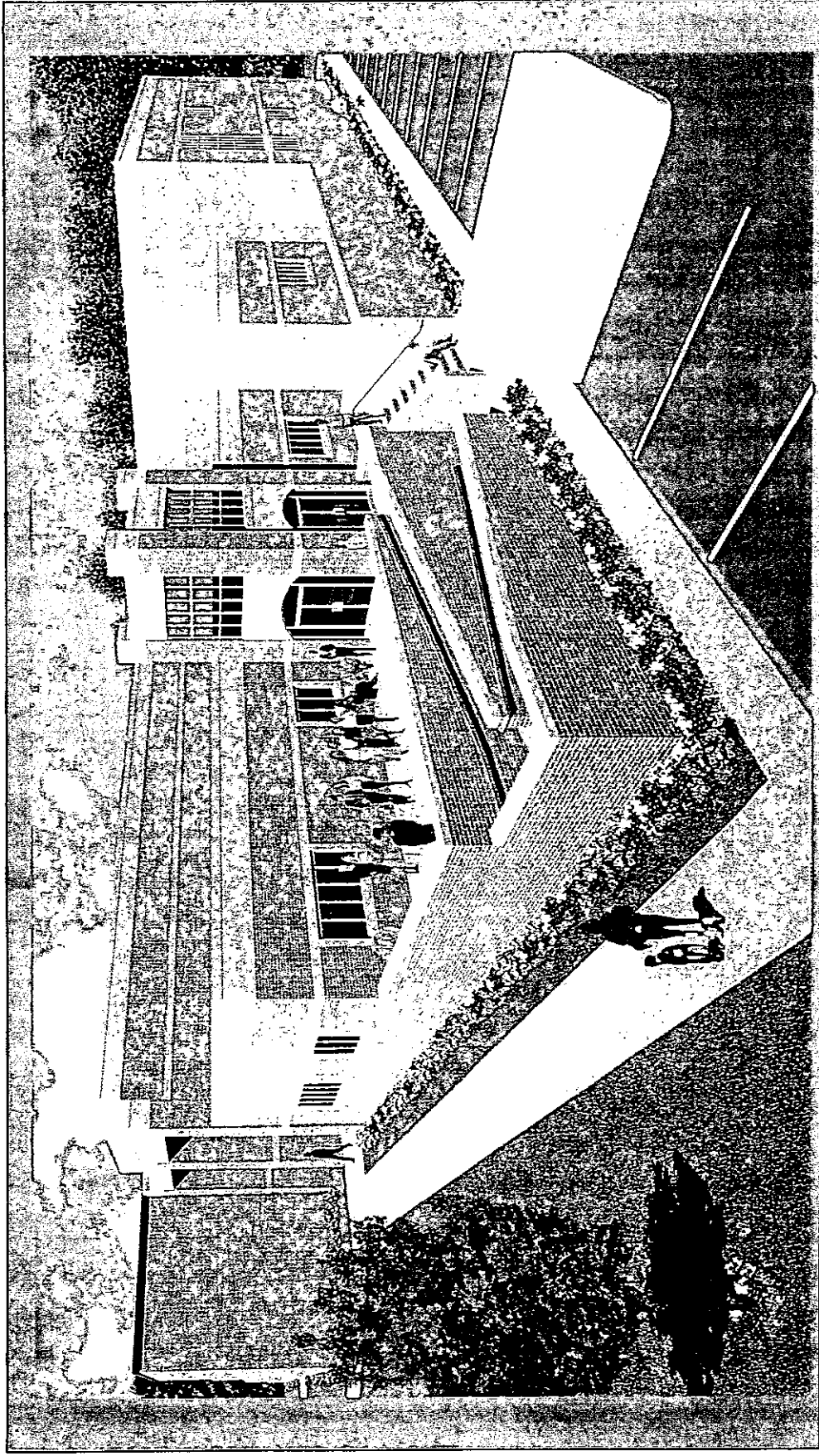
Operations from the original building will be relocated into the new addition and other facilities, allowing for the removal of asbestos and remodeling of the structure.

MURPHY HALL
SCHEMATIC
PLANS

ORIENT. PLAN

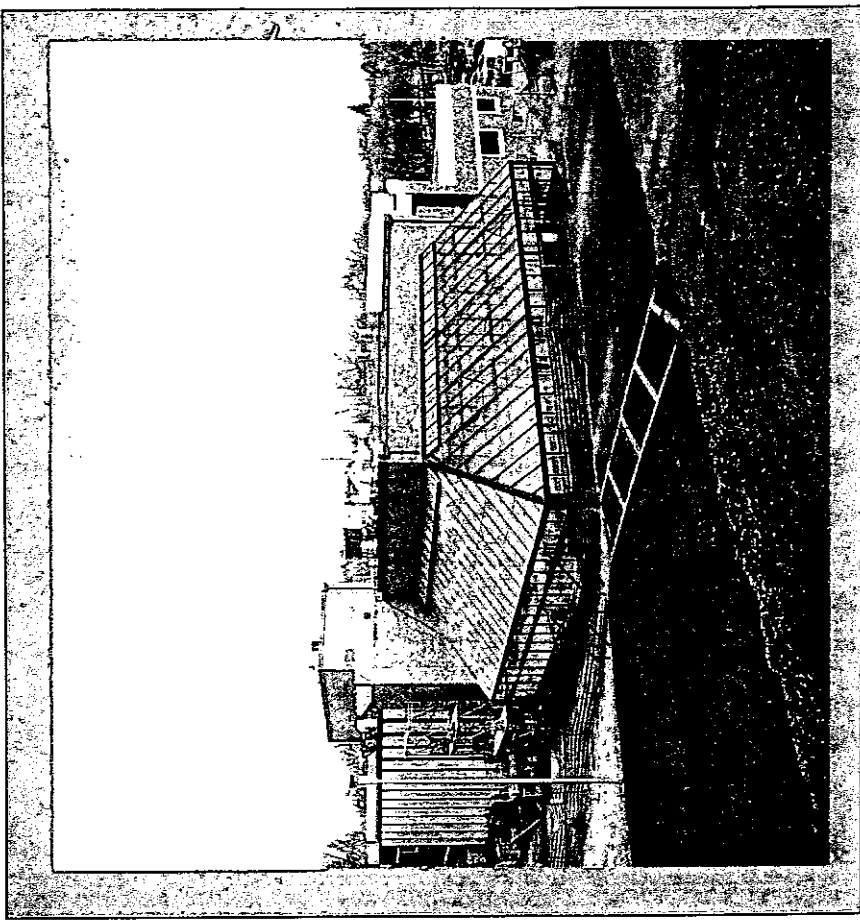
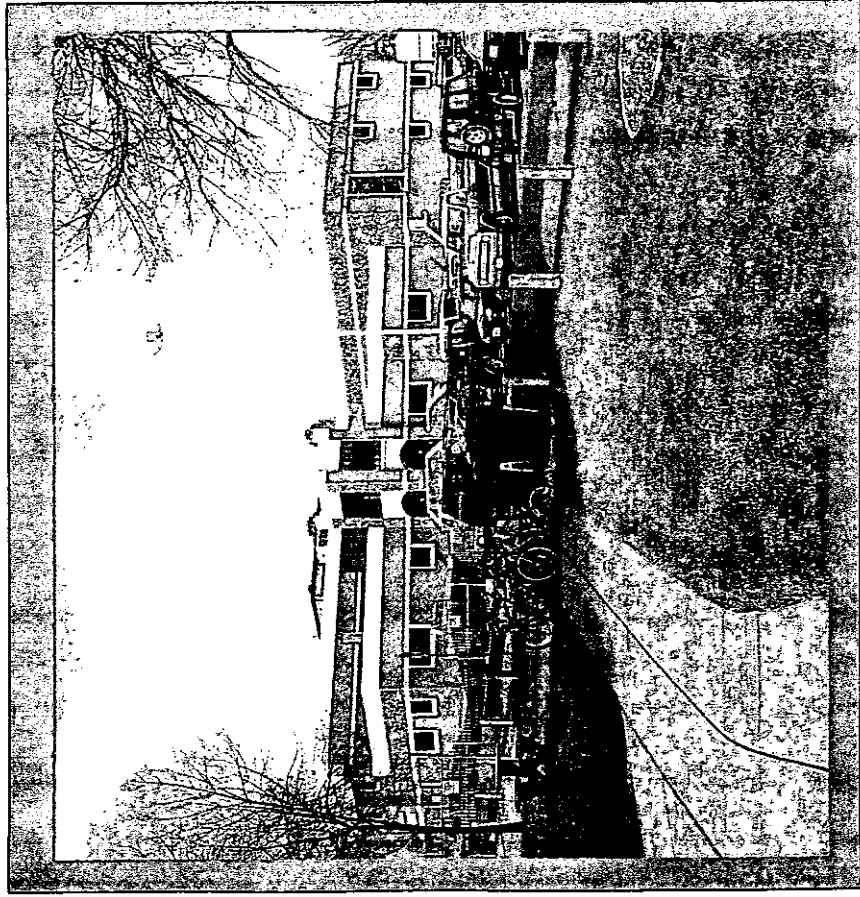


Murphy Hall



Architect's preliminary rendition of the Murphy Hall Renovation and Expansion Project.

Murphy Hall Science Building



Murphy Hall Science Building – November 2004



PROGRAMMING – MURPHY HALL RENOVATION AND ADDITION

**Goal: Design an educational facility
that addresses immediate needs
and provides for adequate and
appropriate space in support of
envisioned change**

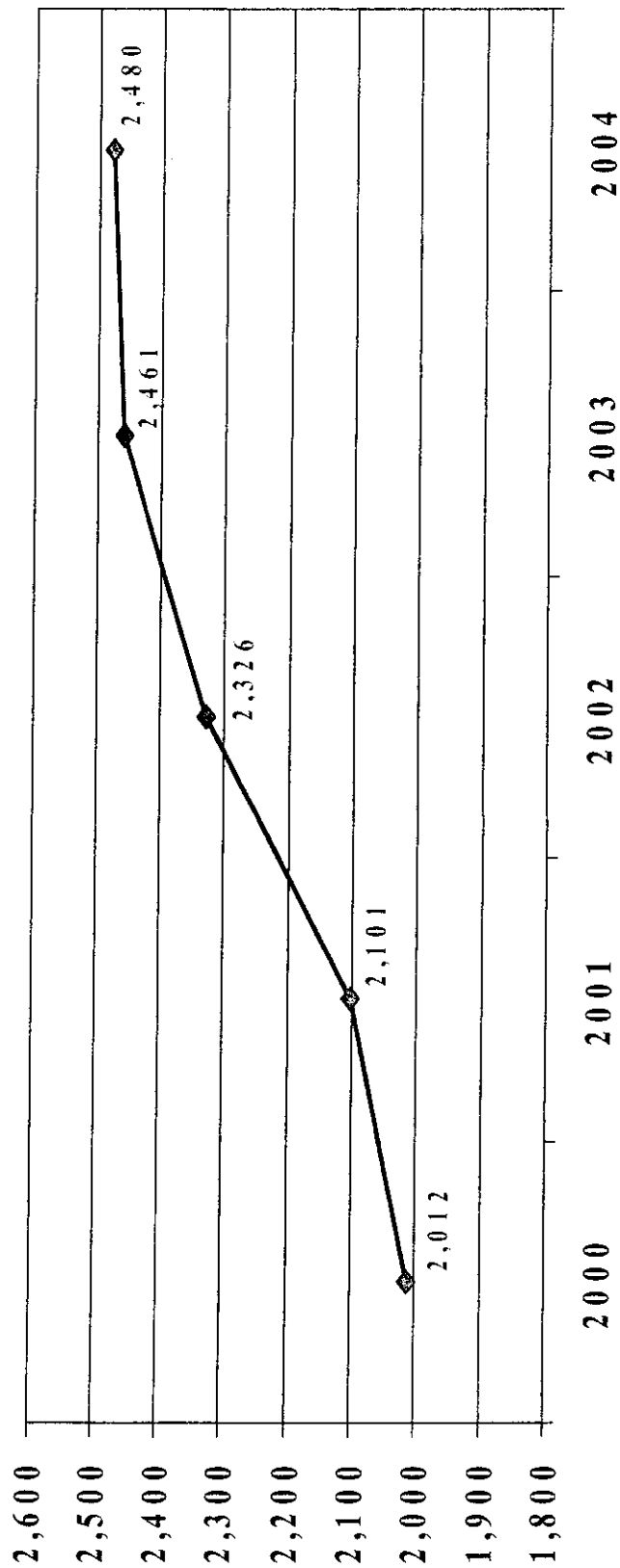
**Professional Assistance:
Hulsing and Associates
Research Facilities Design**



MURPHY HALL RENOVATION AND ADDITION PROJECT

**Provide proper facilities that are
designed to meet the institution's
enrollment and program needs in
accordance with established
national standards**

Fall Enrollment 2000 – 2004



Benchmarking Comparisons Among Undergraduate Institutions

- Compared the net **SQUARE FOOTAGE PER STUDENT** within each laboratory type of twenty primarily undergraduate teaching institutions
- Compared the **LABORATORY SPACE PER FULL-TIME EQUIVALENT FACULTY MEMBER** at thirteen undergraduate teaching institutions
- Analyzed a 1999 study completed by a national planning firm comparing **TEACHING LABORATORY SPACE PROVIDED PER FACULTY MEMBERS** at forty-four undergraduate facilities.



Programming – Murphy Hall Renovation and Addition

“...that the proposed new laboratory space for the Murphy Hall biology, chemistry, and physics programs fall within national standards and trends of comparable undergraduate teaching institutions.”

**Edward G. Johnson, Project Manager, Research
Facility Design**

MURPHY HALL RENOVATION AND ADDITION PROJECT

**Provide the infrastructure that will
complement the infusion of
technology and research into the
teaching/learning environment**

MURPHY HALL RENOVATION AND ADDITION PROJECT

Provide for a facility that will enable the institution to effectively compete nationally in the delivery of quality educational programs within a safe and conducive learning environment as encouraged within the “Roundtable Report”

MURPHY HALL RENOVATION AND ADDITION PROJECT

**Address the life, health, and safety concerns
related to:**

- Asbestos**
- Inadequacy of HVAC systems**
- Inadequacy of fume hoods**
- Absence of fire suppression system**
- Disposal of hazardous chemical waste**

MURPHY HALL RENOVATION AND ADDITION PROJECT

The project will improve upon the energy efficiency by:

- Replacing windows
- Providing appropriate vestibules
- Managing air exchanges
- Replacing aged HVAC system

PROGRAMMING – MURPHY HALL RENOVATION AND ADDITION

Square Footage:

Existing Building	25,366 sq. ft.
Addition	34,308 sq. ft.

Total Square Footage	59,674 sq. ft.
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MURPHY HALL ADDITION

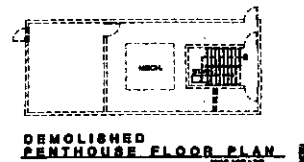
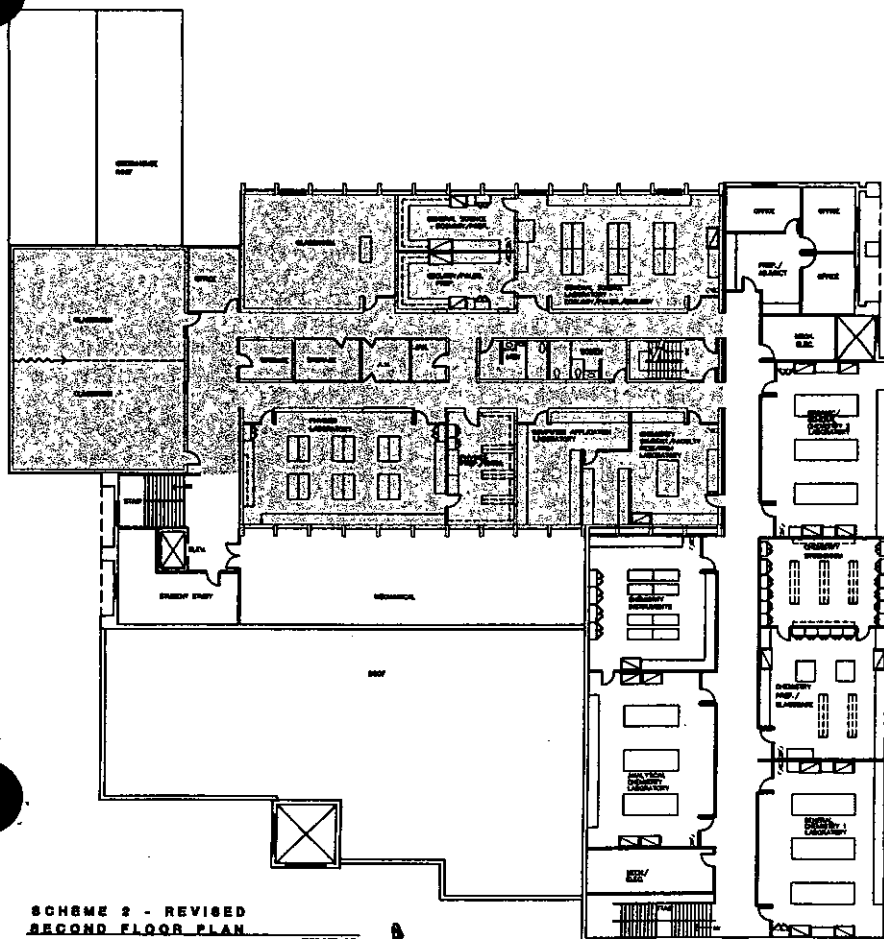
FACILITY COMPONENTS

- General Chemistry Lab
- Microbiology Lab
- Organic Chemistry Lab
- Two - General Biology Labs
- Analytical Chemistry Lab
- Biology Equipment/Glass/
Autoclave
- Chemical Storeroom
- Faculty/Administration
Offices
- Chemistry Preparation/
Glassware
- Lecture Auditorium (126)
seats

MURPHY HALL RENOVATIONS

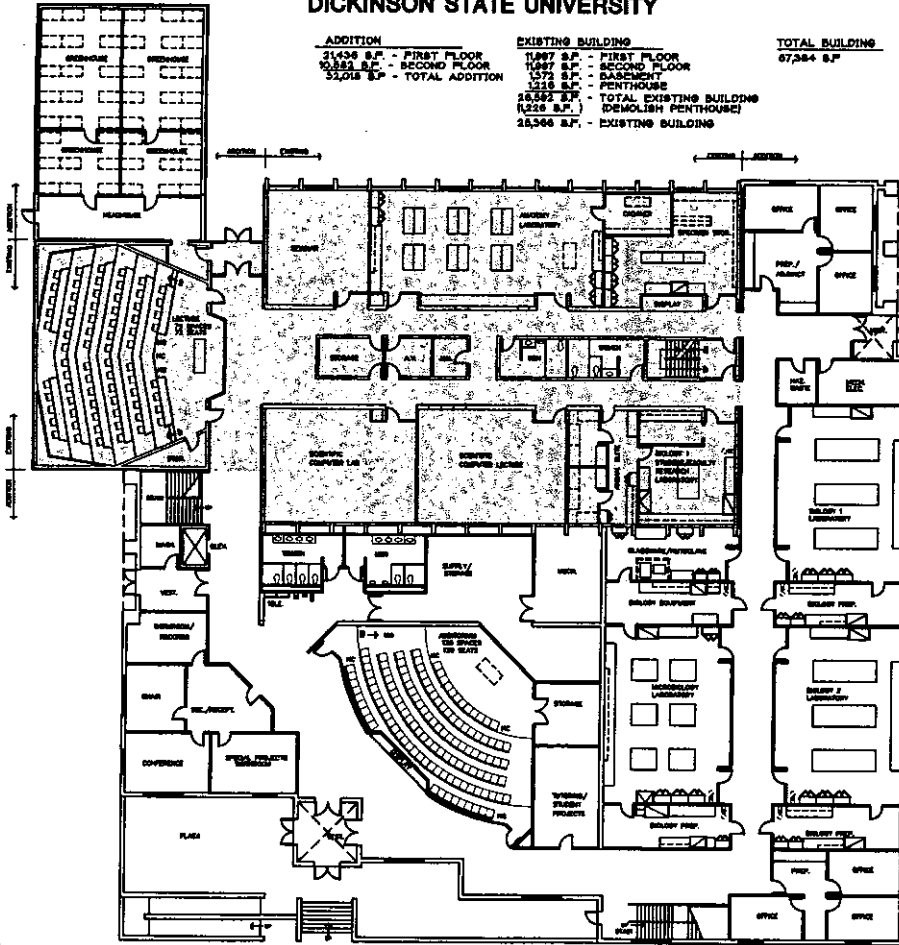
FACILITY COMPONENTS

- ☐ Anatomy Lab
- ☐ Specimen Storage
- ☐ Scientific Computer Lab
- ☐ Animal Suite
- ☐ Biology Student/Faculty Research Lab
- ☐ Five - Lecture Classrooms
- ☐ General Science Lab
- ☐ Physics Lab
- ☐ Chemistry Student/Faculty Research Lab
- ☐ Computer Application Lab
- ☐ Lecture Auditorium (147 seats)



MURPHY HALL DICKINSON STATE UNIVERSITY

ADDITION	EXISTING BUILDING	TOTAL BUILDING
21,436 S.F. - FIRST FLOOR	1,897 S.F. - FIRST FLOOR	23,333 S.F.
30,852 S.F. - SECOND FLOOR	1,897 S.F. - SECOND FLOOR	32,750 S.F.
32,018 S.F. - TOTAL ADDITION	1,271 S.F. - BASEMENT	34,021 S.F.
	1,218 S.F. - PENTHOUSE	35,239 S.F.
	16,562 S.F. - TOTAL EXISTING BUILDING	51,461 S.F.
	(2,218 S.F. - DEMOLISH PENTHOUSE)	49,243 S.F.
	26,566 S.F. - EXISTING BUILDING	75,709 S.F.



SCHEME 2 - REVISED
FIRST FLOOR PLAN



EXISTING BASEMENT PLAN

1.000	1.001	1.002	1.003	1.004	1.005	1.006	1.007	1.008	1.009	1.010	1.011	1.012	1.013	1.014	1.015	1.016	1.017	1.018	1.019	1.020	1.021	1.022	1.023	1.024	1.025	1.026	1.027	1.028	1.029	1.030	1.031	1.032	1.033	1.034	1.035	1.036	1.037	1.038	1.039	1.040	1.041	1.042	1.043	1.044	1.045	1.046	1.047	1.048	1.049	1.050	1.051	1.052	1.053	1.054	1.055	1.056	1.057	1.058	1.059	1.060	1.061	1.062	1.063	1.064	1.065	1.066	1.067	1.068	1.069	1.070	1.071	1.072	1.073	1.074	1.075	1.076	1.077	1.078	1.079	1.080	1.081	1.082	1.083	1.084	1.085	1.086	1.087	1.088	1.089	1.090	1.091	1.092	1.093	1.094	1.095	1.096	1.097	1.098	1.099	1.100	1.101	1.102	1.103	1.104	1.105	1.106	1.107	1.108	1.109	1.110	1.111	1.112	1.113	1.114	1.115	1.116	1.117	1.118	1.119	1.120	1.121	1.122	1.123	1.124	1.125	1.126	1.127	1.128	1.129	1.130	1.131	1.132	1.133	1.134	1.135	1.136	1.137	1.138	1.139	1.140	1.141	1.142	1.143	1.144	1.145	1.146	1.147	1.148	1.149	1.150	1.151	1.152	1.153	1.154	1.155	1.156	1.157	1.158	1.159	1.160	1.161	1.162	1.163	1.164	1.165	1.166	1.167	1.168	1.169	1.170	1.171	1.172	1.173	1.174	1.175	1.176	1.177	1.178	1.179	1.180	1.181	1.182	1.183	1.184	1.185	1.186	1.187	1.188	1.189	1.190	1.191	1.192	1.193	1.194	1.195	1.196	1.197	1.198	1.199	1.200	1.201	1.202	1.203	1.204	1.205	1.206	1.207	1.208	1.209	1.210	1.211	1.212	1.213	1.214	1.215	1.216	1.217	1.218	1.219	1.220	1.221	1.222	1.223	1.224	1.225	1.226	1.227	1.228	1.229	1.230	1.231	1.232	1.233	1.234	1.235	1.236	1.237	1.238	1.239	1.240	1.241	1.242	1.243	1.244	1.245	1.246	1.247	1.248	1.249	1.250	1.251	1.252	1.253	1.254	1.255	1.256	1.257	1.258	1.259	1.260	1.261	1.262	1.263	1.264	1.265	1.266	1.267	1.268	1.269	1.270	1.271	1.272	1.273	1.274	1.275	1.276	1.277	1.278	1.279	1.280	1.281	1.282	1.283	1.284	1.285	1.286	1.287	1.288	1.289	1.290	1.291	1.292	1.293	1.294	1.295	1.296	1.297	1.298	1.299	1.300	1.301	1.302	1.303	1.304	1.305	1.306	1.307	1.308	1.309	1.310	1.311	1.312	1.313	1.314	1.315	1.316	1.317	1.318	1.319	1.320	1.321	1.322	1.323	1.324	1.325	1.326	1.327	1.328	1.329	1.330	1.331	1.332	1.333	1.334	1.335	1.336	1.337	1.338	1.339	1.340	1.341	1.342	1.343	1.344	1.345	1.346	1.347	1.348	1.349	1.350	1.351	1.352	1.353	1.354	1.355	1.356	1.357	1.358	1.359	1.360	1.361	1.362	1.363	1.364	1.365	1.366	1.367	1.368	1.369	1.370	1.371	1.372	1.373	1.374	1.375	1.376	1.377	1.378	1.379	1.380	1.381	1.382	1.383	1.384	1.385	1.386	1.387	1.388	1.389	1.390	1.391	1.392	1.393	1.394	1.395	1.396	1.397	1.398	1.399	1.400	1.401	1.402	1.403	1.404	1.405	1.406	1.407	1.408	1.409	1.410	1.411	1.412	1.413	1.414	1.415	1.416	1.417	1.418	1.419	1.420	1.421	1.422	1.423	1.424	1.425	1.426	1.427	1.428	1.429	1.430	1.431	1.432	1.433	1.434	1.435	1.436	1.437	1.438	1.439	1.440	1.441	1.442	1.443	1.444	1.445	1.446	1.447	1.448	1.449	1.450	1.451	1.452	1.453	1.454	1.455	1.456	1.457	1.458	1.459	1.460	1.461	1.462	1.463	1.464	1.465	1.466	1.467	1.468	1.469	1.470	1.471	1.472	1.473	1.474	1.475	1.476	1.477	1.478	1.479	1.480	1.481	1.482	1.483	1.484	1.485	1.486	1.487	1.488	1.489	1.490	1.491	1.492	1.493	1.494	1.495	1.496	1.497	1.498	1.499	1.500	1.501	1.502	1.503	1.504	1.505	1.506	1.507	1.508	1.509	1.510	1.511	1.512	1.513	1.514	1.515	1.516	1.517	1.518	1.519	1.520	1.521	1.522	1.523	1.524	1.525	1.526	1.527	1.528	1.529	1.530	1.531	1.532	1.533	1.534	1.535	1.536	1.537	1.538	1.539	1.540	1.541	1.542	1.543	1.544	1.545	1.546	1.547	1.548	1.549	1.550	1.551	1.552	1.553	1.554	1.555	1.556	1.557	1.558	1.559	1.560	1.561	1.562	1.563	1.564	1.565	1.566	1.567	1.568	1.569	1.570	1.571	1.572	1.573	1.574	1.575	1.576	1.577	1.578	1.579	1.580	1.581	1.582	1.583	1.584	1.585	1.586	1.587	1.588	1.589	1.590	1.591	1.592	1.593	1.594	1.595	1.596	1.597	1.598	1.599	1.600	1.601	1.602	1.603	1.604	1.605	1.606	1.607	1.608	1.609	1.610	1.611	1.612	1.613	1.614	1.615	1.616	1.617	1.618	1.619	1.620	1.621	1.622	1.623	1.624	1.625	1.626	1.627	1.628	1.629	1.630	1.631	1.632	1.633	1.634	1.635	1.636	1.637	1.638	1.639	1.640	1.641	1.642	1.643	1.644	1.645	1.646	1.647	1.648	1.649	1.650	1.651	1.652	1.653	1.654	1.655	1.656	1.657	1.658	1.659	1.660	1.661	1.662	1.663	1.664	1.665	1.666	1.667	1.668	1.669	1.670	1.671	1.672	1.673	1.674	1.675	1.676	1.677	1.678	1.679	1.680	1.681	1.682	1.683	1.684	1.685	1.686	1.687	1.688	1.689	1.690	1.691	1.692	1.693	1.694	1.695	1.696	1.697	1.698	1.699	1.700	1.701	1.702	1.703	1.704	1.705	1.706	1.707	1.708	1.709	1.710	1.711	1.712	1.713	1.714	1.715	1.716	1.717	1.718	1.719	1.720	1.721	1.722	1.723	1.724	1.725	1.726	1.727	1.728	1.729	1.730	1.731	1.732	1.733	1.734	1.735	1.736	1.737	1.738	1.739	1.740	1.741	1.742	1.743	1.744	1.745	1.746	1.747	1.748	1.749	1.750	1.751	1.752	1.753	1.754	1.755	1.756	1.757	1.758	1.759	1.760	1.761	1.762	1.763	1.764	1.765	1.766	1.767	1.768	1.769	1.770	1.771	1.772	1.773	1.774	1.775	1.776	1.777	1.778	1.779	1.780	1.781	1.782	1.783	1.784	1.785	1.786	1.787	1.788	1.789	1.790	1.791	1.792	1.793	1.794	1.795	1.796	1.797	1.798	1.799	1.800	1.801	1.802	1.803	1.804	1.805	1.806	1.807	1.808	1.809	1.810	1.811	1.812	1.813	1.814	1.815	1.816	1.817	1.818	1.819	1.820	1.821	1.822	1.823	1.824	1.825	1.826	1.827	1.828	1.829	1.830	1.831	1.832	1.833	1.834	1.835	1.836	1.837	1.838	1.839	1.840	1.841	1.842	1.843	1.844	1.845	1.846	1.847	1.848	1.849	1.850	1.851	1.852	1.853	1.854	1.855	1.856	1.857	1.858	1.859	1.860	1.861	1.862	1.863	1.864	1.865	1.866	1.867	1.868	1.869	1.870	1.871	1.872	1.873	1.874	1.875	1.876	1.877	1.878	1.879	1.880	1.881	1.882	1.883	1.884	1.885	1.886	1.887	1.888	1.889	1.890	1.891	1.892	1.893	1.894	1.895	1.896	1.897	1.898	1.899	1.900	1.901	1.902	1.903	1.904	1.905	1.906	1.907	1.908	1.909	1.910	1.911	1.912	1.913	1.914	1.915	1.916	1.917	1.918	1.919	1.920	1.921	1.922	1.923	1.924	1.925	1.926	1.927	1.928	1.929	1.930	1.931	1.932	1.933	1.934	1.935	1.936	1.937	1.938	1.939	1.940	1.941	1.942	1.943	1.944	1.945	1.946	1.947	1.948	1.949	1.950	1.951	1.952	1.953	1.954	1.955	1.956	1.957	1.958	1.959	1.960	1.961	1.962	1.963	1.964	1.965	1.966	1.967	1.968	1.969	1.970	1.971	1.972	1.973	1.974	1.975	1.976	1.977	1.978	1.979	1.980	1.981	1.982	1.983	1.984	1.985	1.986	1.987	1.988	1.989	1.990	1.991	1.992	1.993	1.994	1.995	1.996	1.997	1.998	1.999	2.000	2.001	2.002	2.003	2.004	2.005	2.006	2.007	2.008	2.009	2.010	2.011	2.012	2.013	2.014	2.015	2.016	2.017	2.018	2.019	2.020	2.021	2.022	2.023	2.024	2.025	2.026	2.027	2.028	2.029	2.030	2.031	2.032	2.033	2.034	2.035	2.036	2.037	2.038	2.039	2.040	2.041	2.042	2.043	2.044	2.045	2.046	2.047	2.048	2.049	2.050	2.051	2.052	2.053	2.054	2.055	2.056	2.057	2.058	2.059	2.060	2.061	2.062	2.063	2.064	2.065	2.066	2.067	2.068	2.069	2.070	2.071	2.072	2.073	2.074	2.075	2.076	2.077	2.078	2.079	2.080	2.081	2.082	2.083	2.084	2.085	2.086	2.087	2.088	2.089	2.090	2.091	2.092	2.093	2.094	2.095	2.096	2.097	2.098	2.099	2.100	2.101	2.102	2.103	2.104	2.105	2.106	2.107	2.108	2.109	2.110	2.111	2.112	2.113	2.114	2.115	2.116	2.117	2.118	2.119	2.120	2.121	2.122	2.123	2.124	2.125	2.126	2.127	2.128	2.129	2.130	2.131	2.132	2.133	2.134	2.135	2.136	2.137	2.138	2.139	2.140	2.141	2.142	2.143	2.144	2.145	2.146	2.147	2.148	2.149	2.150	2.151	2.152	2.153	2.154	2.155	2.156	2.157	2.158	2.159	2.160	2.161	2.16
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APPENDIX

DICKINSON STATE UNIVERSITY
CAPITAL BUDGET PROJECT

PRIORITY #1: MURPHY HALL RENOVATION/ADDITON (PHASE II)

CATEGORY: Major Renovation Addition

PROJECTED COST ESTIMATE: \$4,100,557

RECOMMENDED SOURCE OF FUNDING: State General Fund

BIENNIUM: 2005-2007

PROJECT NARRATIVE

Dickinson State University is requesting support for Phase II of the Murphy Hall Renovation/Addition Project consisting of the renovation of 25,366 sq. ft. at a projected cost of \$4,100,557. Phase I of the Murphy Hall Renovation/Addition Project consisting of a 34,308 sq. ft. addition received funding in the amount of \$5,882,047 from the 2003 Legislature. Construction of the addition is proceeding with completion of the addition anticipated in March, 2005.

The Murphy Hall Renovation/Addition Project represents a programming effort designed to renovate existing space and provide for additional space toward the formation of an academic facility serving all of the natural sciences; Biology, Chemistry, and Physics as well as hosting courses for programs in Agriculture, Nursing, and Teacher Education. Dickinson State University utilized the Office of Management and Budget's facility preplanning fund to engage the architectural firm of Hulsing & Associates of Dickinson, ND in conjunction with a nationally recognized consulting firm specializing in science/laboratory facilities, Research Facilities Design (RFD), to design an educational facility that addresses immediate needs and provides for adequate and appropriate space in support of envisioned change. The resulting facility shall enable the institution to effectively compete nationally in the delivery of quality educational programs within a safe and conducive learning environment as encouraged within the "Roundtable Report."

Bringing forth the Murphy Hall Renovation/Addition Project, the institution deemed it necessary to stage the project since major asbestos abatement will be required with the renovation of existing facilities and there was an evident absence of alternative specialized laboratory space to support the need for ongoing course delivery. To address these issues, the project was proposed in two phases. Phase I consists of the construction of the addition while the majority of the existing building remains occupied and in service. During Phase II of the project, operations from the existing building will be relocated into the addition while the asbestos is removed from the existing structure followed by the renovation of the same.

Dickinson State University's enrollment continues to grow. Headcount enrollment for Fall 2004, was 2,480 students compared to 912 students in 1963, the year in which Murphy Hall was initially constructed. The institution has experienced a 23% increase in enrollment within the last five years and is confident that continued growth can be obtained through change and quality improvement. Program changes that focus on entrepreneurship, student research, and uses of technology require the appropriate facilities and infrastructure to be effective.

The Murphy Hall Renovation/Addition Project most importantly is designed to, upon completion, address the life, health, and safety issues surrounding the programs offered within the facility. The presents of vast amounts of asbestos within the original facility has already been mentioned. The amount, location, and age of the asbestos certainly contributes to an unsafe environment and dramatically limits any modifications that may be necessary in the facility. The inadequacy of the HVAC systems became evident during the programming phase of the project resulting in an emergency allocation from the Board's pool to address immediate and serious air quality issues. The infusion of funds provided for a short-term, temporary fix to the immediate air quality issues but did so in a manner which created a very inefficient mode of operation. The solution was to infuse large amounts of fresh air and expel the same creating the challenge and expense of tempering the air in an effort to provide for a conducive learning environment. Used air handlers were acquired and put in place in an effort to address the air quality issues in as short of time period as possible since the building needed to remain occupied. Curriculum changes have been made to limit the amount of potential exposure to hazardous chemicals as a result of an inadequate ventilation system impacting negatively upon the intended student experience.

In addition to the general HVAC shortfalls, the following inadequacies, hazards, and code violations are also present within the facility: the aged lighting system is inefficient and does not provide appropriate candlepower to the classroom/laboratory environments, storage facilities for chemicals and biological specimens are not appropriately ventilated creating an unsafe/unstable environment, fume hoods are not functioning effectively creating hazards and false senses of security, master gas shut-off valves are not properly installed and/or do not exist at some locations, waste lines/infrastructure is not in place to adequately address the disposal of hazardous waste, open stair towers no longer meet fire codes, the elevator does not have fire rated vestibules, stair riser heights exceed today's code, plumbing fixtures do not meet ADA requirements, and the amount of uninsulated glass comprising a large portion of the building's exterior creates huge inefficiencies making the facility difficult to heat in the winter and cool during the summer. With the Phase I construction of the addition, the architects have met with the local fire inspector and have received authorization to defer the installation of a firewall between the area where new construction butts up to the existing structure in anticipation that the firewall will not be necessary if Phase II of the project is funded and renovation of the existing space immediately follows the construction associated with the addition. If Phase II funding is not secured within the next biennium, modifications will need to be put in place to address firewall issues.

Phase II of the Murphy Hall Renovation/Addition Project will address identified deferred maintenance to the estimated extent of \$3,108,842 falling within the following categories: Health and Safety - \$899,058, ADA - \$109,500, Major Renovation/Networking - \$2,077,227, and Major Repairs - \$23,057. Phase I of the project has not addressed any of the deficiencies existing within the original structure. The completion of the Phase I addition will provide the means by which the institution can create the necessary short-term flexibility enabling essential coursework to be taught while the existing facility is renovated. The Phase I addition provides for the following facilities: a general chemistry lab, an organic chemistry lab, an analytical chemistry lab, a chemical storeroom, a chemistry prep./glassware room, a microbiology lab, two general biology labs, a biology equipment/glassware/autoclave room, faculty and academic administrative offices, and a lecture auditorium. Programmed within Phase II of the project upon

renovation is an anatomy lab, a general science lab, a physics lab, a computer applications lab, a biology student/faculty research lab, a chemistry student/faculty research lab, five lecture classrooms, and a specimen storage area.

The space resulting from the completion of the Murphy Hall Renovation/Addition Project with the funding of the proposed Phase II of the project will be instrumental in educating individuals that are essential and in high demand within North Dakota's workforce. The facility will compliment the training of nurses, teachers within the natural sciences and physics disciplines, agronomists and botanists in support of the agriculture industry, computer assisted drafting operators in support of the manufacturing sector, and research facilities in support of student experimentation and faculty research. Faculty research facilities will enable the institution to attract and retain research orientated faculty that can infuse new thought processes into the curriculum and potentially generate alternative funding resources.

In closure, funding in support of Phase II of the Murphy Hall Renovation/Addition Project during the next biennium is critical to the mission of Dickinson State University and to the elimination of existing hazards that pose the potential for tremendous liability suits against the University System and the State of North Dakota. It is questionable as to whether the existing space within the original building should be occupied if renovation funds are not made available. Dickinson State University contributed \$250,000 toward funding Phase I of the project and has committed to utilizing asbestos abatement litigation funds held locally to address the abatement of asbestos required within Phase II – the renovation of Murphy Hall.

ASSOCIATED COSTS:

The additional operating costs associated with the Murphy Hall Renovation/Addition Project were incurred during Phase I of the project when square footage was added requiring the need for additional custodial staff and resources in support of addressing increased utility, building supply, and building maintenance equipment costs. The true impact of the costs associated with Phase I will not be felt until the Fall of 2004 when the added space begins to draw upon services and utilities. Funding in support of identified operating costs will need to come from an increased level of "parity" funding (general funds) associated with the NDUS Long-Term Financing Plan, increased tuition revenue, or internal reallocations. Labor in support of the original facility is in place and cost savings should be realized upon elimination of many building operating inefficiencies.

NDUS 2005-07 Major Capital Project Ranking
Approved by BHE, June 2004

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
#	Project Description	Campus	Project Type	State	Other	Total	Other Source
Board Approved Ranked State Funded Projects for Inclusion in 2005-07 Budget Request							
	Hazardous Material Handling/Storage	NDSU	NC	\$3,500,000		\$3,500,000	
1	Murphy Hall Renovation - Phase II	DSU	R	\$4,100,557		\$4,100,557	
2	WE Osman Bleacher Replacement	VCSU	R	\$250,000	\$32,000	\$282,000	private
3	Thatcher Hall Addition	MISU-BC	A	\$2,500,000		\$2,500,000	
4	Science Lab Renovation & Multi-Use Classroom Addition	LRSC	A/R	\$343,875		\$343,875	
5	O'Kelly Hall Renovation-Ireland Lab Renovation	UND	R	\$3,500,000		\$3,500,000	
6 x	Electrical Distribution-Phase II of IV	NDSCS	R	\$736,000		\$736,000	
7	TOTAL RANKED PROJECTS			\$14,930,432	\$32,000	\$14,962,432	

11 CAMPUSES

A=addition; R=renovation; NC=new construction

Campuses #1 Ranked State Funded Projects							
	Career & Technology Institute 1/	BSC	NC	\$1,000,000	\$11,200,000	\$12,200,000	Private/ local/grant
	Science Lab Renovation & Multi-Use Classroom Addition	LRSC	A/R	\$1,020,150		\$1,020,150	
	Energy and Transportation Training Center Addition	WSC	A	\$510,000	\$400,000	\$910,000	Private/Grant
	O'Kelly Hall Renovation-Ireland Lab Renovation	UND	R	\$3,500,000		\$3,500,000	
	Hazardous Material Handling/Storage	NDSU	NC	\$3,500,000		\$3,500,000	
	Steam Line-Phase III & Electrical Distribution	NDSCS	R	\$3,421,080		\$3,421,080	
	Murphy Hall Renovation - Phase II	DSU	R	\$4,100,557		\$4,100,557	
	West Hall Renovation & Accessibility	MaSU	R	\$3,140,000		\$3,140,000	
	Swain Hall Addition/Renovation	MISU	A/R	\$5,815,000		\$5,815,000	
	Life Safety/ADA Project	VCSU	R	\$1,100,000		\$1,100,000	
	Thatcher Hall Addition	MISU-BC	A	\$2,500,000		\$2,500,000	
	TOTAL #1 Ranked Campus Projects			\$29,606,787	\$11,600,000	\$41,206,787	

Other UnRanked Campus Requested State Projects							
	Voc/Technical Center Expansion & Renovation	BSC	A/R	\$3,000,000	\$6,000,000	\$9,000,000	School District/ Other
	Cold-Storage Garage	LRSC	NC	\$50,000		\$50,000	
x	Rural Development Center	WSC	NC	\$2,000,000	\$4,000,000	\$6,000,000	Private/Grant
x	SOMHS Allied Health Facility	UND	NC	\$7,500,000		\$7,500,000	
	Infrastructure (water, sewer, elec., pavement)	UND	R	\$4,500,000		\$4,500,000	
	Heating Plant Boiler #4 Replacement	NDSU	R	\$2,540,000		\$2,540,000	
	Minard Hall Renovation	NDSU	R	\$11,393,500		\$11,393,500	
	Horton Hall Renovation	NDSCS	R	\$4,095,330		\$4,095,330	
	Center for Ag Education/Research	DSU	NC	\$4,000,000		\$4,000,000	
	Classroom Building Entrance and HVAC Upgrade	MaSU	A/R	\$579,360		\$579,360	
x	Crane Hall Renovation	MISU	R	\$1,767,500	\$1,767,500	\$3,535,000	Local/Private
	Steam Line Replacement - Phase I	VCSU	R	\$1,000,000		\$1,000,000	
	Steam Line Replacement	MISU-BC	R	\$235,000		\$235,000	
	TOTAL Unranked Projects			\$42,660,690	\$11,767,500	\$54,428,190	

Non-State Funded Unranked Projects							
Recommended for inclusion in 2005-07 budget request							
	Student Apartments 2/	BSC	NC		\$1,800,000	\$1,800,000	Aux./ Other
	Plant Services Building	BSC	NC		\$502,800	\$502,800	Local
x	Rural Development Center	WSC	NC		\$6,000,000	\$6,000,000	Private/Grant
x	O'Kelly Hall-Ireland Laboratory Renovation	UND	R		\$3,500,000	\$3,500,000	Local
x	SOMHS Allied Health Facility	UND	NC		\$7,500,000	\$7,500,000	Private/grant
	SOMHS Laboratory Renovation	UND	R		\$2,500,000	\$2,500,000	Grant
	Indoor Track Facility	UND	NC		\$6,000,000	\$6,000,000	Private

**NDUS 2003-05 Major Capital Project Ranking
SBHE Priority List**

Revised 11-25-02

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
#	Project Description	Campus	Project Type	State	Other	Total	Other Source

11 CAMPUSES

A=addition; R=renovation; NC=new construction

Ranked State Funded Projects		INCLUDED IN REQUEST					
1	Murphy Hall Phase I Addition	DSU	A/R	\$5,882,047		\$5,882,047	
2	Graichen Gymnasium elevator & emergency exits	VCSU	R	\$785,300		\$785,300	
3	Steam Line Replacement Phase II	MaSU	R	\$1,355,000		\$1,355,000	
4	Minard Hall Renovation	NDSU	R	\$9,900,000		\$9,900,000	
5	O'Kelly Hall Renovation	UND	R	\$3,500,000		\$3,500,000	
6	Old Main Replacement	MISU-BC	R	\$1,500,000		\$1,500,000	
7	Career & Technology Institute	BSC	NC	\$1,500,000	\$6,800,000	\$8,300,000	Private/ Other
8	Diesel Technology Addition	WSC	A	\$472,000		\$472,000	
9	Science Wing Remodel & Classroom Wing Addition-Phase I & II	LRSC	A/R	\$1,187,500		\$1,187,500	
10	Swain Hall	MISU	A/R	\$1,590,000		\$1,590,000	
11	Horton Hall Remodel	NDSCS	R	\$4,100,000		\$4,100,000	
	State Facility Energy Improvement Project	UND	R		\$1,951,214		utility savings
	State Facility Energy Improvement Project	NDSU	R		\$1,077,977		utility savings
TOTAL Ranked Projects				\$31,771,847	\$9,829,191	\$38,571,847	

Unranked State Funded Projects		NOT INCLUDED IN REQUEST					
	Voc/Technical Center Expansion & Renovation	BSC	A/R	\$3,000,000	\$6,000,000	\$9,000,000	School District/ Other
	Deferred Maintenance	WSC	R	\$584,000		\$584,000	
	North Addition	WSC	NC	\$2,948,400		\$2,948,400	
	Occupational Therapy	UND	A	\$1,500,000		\$1,500,000	
	Infrastructure (water, sewer, elec., pavement)	UND	R	\$4,500,000		\$4,500,000	
	Ceres Hall Renovation	NDSU	R	\$4,000,000		\$4,000,000	
	Infrastructure (pavement, water, steam)	NDSU	R	\$2,500,000		\$2,500,000	
	Steam Line Replacement Phase III	NDSCS	R	\$1,482,120		\$1,482,120	
	West Hall Remodel & Accessibility	MaSU	A/R	\$450,000	\$50,000	\$500,000	Local
	Student Union ballroom/west wing remodel	MISU	R	\$335,000	\$335,000	\$670,000	Aux.
	Replace bleachers-W.E. Osmon Bldg.	VCSU	R	\$265,000		\$265,000	
	Thatcher 2nd Floor HVAC	MISU-BC	R	\$117,000		\$117,000	
TOTAL Unranked Projects				\$21,681,520	\$6,385,000	\$28,066,520	

Non State Funded Projects		INCLUDED IN REQUEST					
	Student Apartments	BSC	NC		\$1,785,000	\$1,785,000	Aux./ Other
	North Hall Residence Hall Renovation	LRSC	R		\$375,000	\$375,000	Aux.
	S of M & HS, Neuroscience Research Phase II	UND	NC		\$17,000,000	\$17,000,000	Grant
	Carnegie Library	UND	R		\$3,300,000	\$3,300,000	Private
	Native American Center	UND	NC		\$3,500,000	\$3,500,000	Private/ Grant
	Squires Dining Center	UND	R		\$1,500,000	\$1,500,000	Aux.
	Athletic Complex	UND	A/R		\$13,000,000	\$13,000,000	Private
	Airline Security Building	UND	NC		\$5,000,000	\$5,000,000	Grant
	Airport Hangar	UND	NC		\$2,000,000	\$2,000,000	Private
	Wellness Center	UND	R		\$8,000,000	\$8,000,000	Student Fees

Recommendation Report

A. Additional new space required.

During the programming phase of this project, it was found that the existing building of 26,592 square feet did not meet the needs of the institution. After reviewing courses that are taught in this building, number of sections, past enrollment, and courses that need to be added to the curriculum a program of space requirements was developed. The program shows a need of an additional 32,010 square feet to bring the building to a total of 58,602 square feet.

Murphy Hall was built in 1963 when the enrollment at Dickinson State was 912 Students. It housed laboratories for Chemistry, Biology and Physics with two classrooms for Mathematics. The original plans show a greenhouse and observatory which were never built. Several remodelings have changed the original structure; vestibules with offices above were added to the east and west entries, an elevator was added to meet accessibility requirements, the coat room has been turned into interior offices, the Chemistry Stockroom was changed into the Department Chair's Office, the Balance Room is used for a student study area, the General Chemistry Room was reduced to accommodate the relocated Stockroom, and office spaces are used as storage rooms. The platform for the future observatory is used as a greenhouse that has no windows. Mechanical Rooms are also used as storage rooms.

In the original 1963 building the Analytical Chemistry Lab was built with 24 Student Stations and the General Chemistry Lab for 36 student stations that was reduced to 24 when the stockroom was added. The Advanced Biology Lab was built with 24 student stations, one General Biology Lab was built with 24 student stations and the other with 36 student stations. The Physics Lab was built for 24 student stations and the Physical Science Lab for 24 student stations. The Math Department was moved out of Murphy Hall in 1997 and the two classrooms used for math are now a computer laboratory and a classroom.

Nationally, current standards for teaching laboratories has student stations per laboratory at 24 for safety and teaching effectiveness. To incorporate their needs and to prepare for the future, the existing laboratories need to be redesigned.

Since 1963 different technologies, more stringent safety standards, handicap accessibility along with new curricula and an increased enrollment has made additional space necessary to this facility. The enrollment for Dickinson State University for the 1999 fall semester was 1,867. An increase of 105 % of students since 1963. The majors offered at the institution require heavy concentrations of science such as the Nursing Program, Teacher Education Program, Agricultural Program and Pre-Professional course work. A facility of 58,600 square feet would bring Dickinson State's Natural Science Department's physical plant up to the level of similar colleges and universities of similar size and curricula regionally and

nationally.

The suggested Laboratory Spaces are as follows:

General Chemistry and Introductory Chemistry currently have an enrollment of 136 students broken into seven laboratory sections. The two General Chemistry Labs will be used for these courses, one lab will be scheduled for three sections and one for four sections per week. One Chemistry Lab will also be used as an Organic Chemistry Lab with an enrollment of 27 students in one section per week.

The Analytical Chemistry section is somewhat smaller and has a utilization of two sections per week. Because this laboratory has a more specialized design for intensive equipment use, it would be difficult to provide the required curriculum in a General Chemistry Laboratory. Constructing this laboratory as scheduled with 1260 s.f. will provide for increased enrollment that will very likely occur in this field and space for required instrumentation.

Providing Chemistry and Biology Research Laboratories for undergraduates use is common at new science building projects. The addition of one research laboratory in both Chemistry and Biology is a minimum recommendation for advanced undergraduate projects.

The General Biology Laboratories have a utilization rate of 222 students in seven sections, which is 31.7 students per section, seven students over the 24 student per lab ratio that is recommended. Three more sections and additional laboratory space is needed to stay within the standards. The Microbiology Laboratory has a utilization of 40 students in two sections. Like the Analytical and Physical Chemistry Laboratories, Microbiology requires specialized curriculum with unique requirements and separate laboratories must be if this course is to be offered. Microbiology and Genetic curriculum is a fast growing field and has a strong presence in other new undergraduate science facilities.

Adequate preparation space, an animal space, greenhouse and cadaver storage reflect what is being provided at other undergraduate institutions to offer students and faculty flexibility in adapting to fast changing science programs and an ever-demanding curriculum that includes more technology and research components.

In summary, the laboratories shown in the Laboratory Space Summary (attached) are recommended to meet both present enrollment requirements and future increased enrollment.

The future enrollment potential of the new science facility will ultimately depend on a balance between the total number of faculty members and the level of faculty and laboratory availability.

The location for the addition is dictated by site constraints and use of the existing building during construction. The space to the west slopes toward the building making drainage and access difficult. The President's Residence is also located to the northwest of the site. The north side of the building was selected for a portion of the addition, but it is adjacent to a residential street that has a 25 foot setback from the property, therefore the entire addition could not be placed here. The east side of the building slopes away from the building and is adjacent to the parking lot and is of substantial size making it a good location for the addition. The south side of the building is restricted by a road and a steep slope towards the building making this a poor location to add to the building.

Selection of functions to be placed in the addition was based upon cost and continuing existing lab course work during the Construction. The existing building was built with pre-cast concrete tees for floor and roof systems supported on load bearing walls that makes remodeling of the space for the labs with a high plumbing and ventilation requirements difficult and expensive. Therefore, the Chemistry and Biology Labs were placed in the addition while the Physics Lab and Natural Science Labs were relocated within existing Lab spaces. The other spaces in the existing building were used for classrooms and functions that did not require expensive changes to the structural and mechanical systems.

B. Multiple Phases of project.

Due to the presence of asbestos in the existing building the project must be phased, requiring funding authority for two consecutive bienniums.

C. Phasing Solution.

Phase I: Would include the construction of the addition while the existing building is still occupied. Egress would need to be maintained throughout the construction.

Phase II: Would involve relocating operations from the existing building into the addition while the asbestos was removed and the structure was remodeled. Exiting from the new building would need to pass through the existing building along with any handicap accessible traffic. Closing off the entire existing building could be scheduled between semesters at breaks and at times during the summer.

D. Relocation Plan.

Phase I: Would not require relocation of any of the existing programs or operations except for egress changes.

Phase II: Would relocate the existing three Chemistry Labs into the new three Chemistry Labs in the addition. The three existing Biology

Labs and prep would relocate into three new Biology Labs and prep in the addition. The Physics Lab would temporarily relocate into the Analytical Chemistry Instrument Room. The Natural Science Classes would be temporarily taught in a General Biology Lab in the new addition. Restrooms, janitorial and mechanical spaces to handle the new addition would be in the new addition. The classes from the existing Lecture Auditorium would be moved into the new Auditorium. The Chemistry Lecture would be taught in a new Auditorium. The Computer Lab would be temporarily relocated in the Tutoring/Student Projects room and Student Study room. The Department Chair, Secretary and Workroom would relocate to the new building as would the faculty offices.

After remodeling of the existing building the Physics Laboratory would again relocate, the Natural Sciences would relocate, Anatomy would be taught in its own lab moved from the General Biology Lab. The Computer Lab would be relocated freeing the Tutoring/Student Projects and Student Study rooms. Lecture classes of 75 and less could be moved from the Auditorium to the remodeled Lecture Hall. The Chemistry and Biology Student/Faculty Research Labs could be utilized as could the computer lecture room.

MEMORANDUM

DATE: September 20, 2000

TO: Janet Prchal, Hulsing Associates, P.C.

PROJECT: Dickinson State University - Murphy Hall
Dickinson, ND
RFD Project No. 2000022-41

FROM: Edward G. Johnson

SUBJECT: DSU Murphy Hall

RESEARCH
FACILITIES
DESIGN

On September 12 representatives from Hulsing Associates, Prairie Engineering, Research Facilities Design and DSU reviewed existing conditions at Murphy Hall relative to current building code and life safety standards. The comments below reflect our observations. Many of the comments are general in nature and apply to the entire building.

1. Two of four fume hoods in the Chemistry labs 109 and 110 are not operating. The fumehoods that appear to be working have questionable air velocities at the sash opening. Both laboratories have a chemical smell that indicates the air is not being exhausted adequately. Open chemical containers are being stored in the inoperative fumehoods. Inoperative fumehoods may be giving a false sense of chemical fume protection.
2. The chemical stock area 114 is vented directly into Chemistry lab 110 via open partition at ceiling level. Chemical odor in lab 110 is very prominent. There is no fumehood in the chemical storage area for solvent and chemical dispensing. For ventilation the doors to all laboratories must remain open for air to flow into the corridors and eventually to the second floor return air louvers. There is no apparent exterior exhaust.
3. Solvent containers are being stored in several small unvented closets.
4. The building elevator does not have fire rated vestibules as require by code.
5. The risers height of all interior building stairs exceeds that allowed by current code. The open four story stair towers exceeds the two-story code limit. Stairs leading into basement requires an exiting gate directing egress to ground level exits. Code allows no storage under stairs.

6. The autoclave in the glass wash area is not properly vented. Fire alarm is often actuated when autoclave is opened.
7. The structural ceilings and portions of walls in second floor spaces appear to be covered with an asbestos based acoustic material. The acoustic material is beginning to flake off above several doorways. It is recommended that this material be tested for asbestos, the flaking areas should be repaired and consideration be given to total removal.
8. Anatomy Laboratory 213, adjoining corridor and support laboratory spaces have a strong odor of formaldehyde (the EPA has determined that formaldehyde is a carcinogenic hazard). It is recommended that this condition be tested for allowable contamination levels and remedied immediately if necessary.
9. Greenhouse on third floor has no apparent ventilation and has no natural light. The heat generated by the required artificial light source makes the space uninhabitable due to the excessive heat generated. The space appears to be unusable as a functioning greenhouse.
10. Stockroom 215 has a very strong chemical odor. There is no direct ventilation of this space.
11. Most laboratories do not have master natural gas shut off valves.
12. Temperature control throughout the laboratories and classrooms is poor. Overheating of spaces is a reoccurring problem.
13. All return air from building spaces is drawn into the nearest corridor and circulated back into laboratories and classrooms via the return air ducts at the second floor. This condition not only compromises building air quality but also creates a potentially serious fire and smoke hazard to building occupants. If a fire occurs, all the smoke and heat will be drawn into the corridors. Current code requires that 100% of the air exhausted from laboratory spaces be ducted directly to the building exterior. All laboratory spaces must be maintained at a negative pressure relative to non-laboratory areas.
14. The waste drainpipes in many island sinks are no properly vented. This can cause traps to siphon allowing sewer and acid fumes to enter the laboratories.
15. Building plumbing fixtures do not meet ADA requirements.
16. Generally there is a distinct chemical odor throughout the building. This suggests that the quality of air in Murphy Hall may be a serious health hazard to students, faculty and visitors. It is recommend that the air quality be immediately tested for contamination.

Copy: RH/RFD

EMERGENCY ALERT – POTENTIALLY HAZARDOUS LEVELS OF TOXIC FUMES BEING CIRCULATED WITHIN MURPHY HALL

On Tuesday, September 12, 2000, Dickinson State University was informed by Mr. Ed Johnson, the consultant providing an on-site review of Murphy Hall facilities as a part of the Capital Project Pre-planning process, that there exists a potentially hazardous situation within Murphy Hall which could have associated health risks. The consultant detected that the ventilation system was inadequately exhausting toxic fumes associated with a laboratory experience allowing the toxic fumes to be circulated throughout the facility. The substance involved in this incident was formaldehyde. The material safety data sheet referenced to identify the potential associated health hazards states that formaldehyde is **"Toxic. May cause cancer. May cause heritable genetic damage. Toxic by inhalation, in contact with skin, and if swallowed, causes burns. May cause sensitization by inhalation and skin contact. Readily absorbed through skin. Target organs: Eyes, Kidneys..."** Recognizing that this is not an isolated incident and that the inadequacy of the HVAC systems may indeed foster a hazardous environment throughout Murphy Hall, the institution has taken the following action:

- Hired Badlands Environmental Consultants, Inc. to gather samples and perform air quality analysis within Murphy Hall to verify the presence and levels of concentration of formaldehyde in the building's environment.
- Engaged the services of Prairie Engineering to identify deficiencies within the existing ventilation system and propose effective remedies that would immediately address the situation.
- Notified the North Dakota University System staff of the potentially hazardous situation in an effort to obtain guidance relative to approaching the situation and to inform the staff of the potential need for emergency fiscal resources in support of upgrading the ventilation system.
- Created a higher level of awareness in faculty and administrators associated with the supervision of laboratory experiences of the need for them to seek alternative approaches to their laboratory experiments which would minimize/eliminate any potentially uncontrolled human exposure to hazardous materials.

Results of the air quality tests performed by Badlands Environmental were received on September 19. We were informed that OSHA's permissible exposure level relative to formaldehyde is .75 parts/million. The air sample taken within the laboratory setting contained 1.2 parts per million (ppm), a level well over OSHA's permissible exposure limit for a sustained period of time. The hallway air sample recorded .16 ppm, a level within the established OSHA limit. According to a "time weighted average" formula that OSHA uses to determine potential health risks, the amount of exposure time to a given toxic level becomes a crucial element. The "time weighted average" calculated in relationship to a typical two hour laboratory experience would factor to an exposure level

of .31 ppm, well below the .75 ppm OSHA standard. This factored level along with the levels found in the hallways indicate that there is not an immediate health risk to the students. The greater risk may be to faculty and staff members who spend increased exposure time within the facility on a regular basis. As we approach the cool weather seasons, air quality conditions may worsen as the HVAC systems bring in less outside air and instead recirculate more of the inside air. Of additional concern to the institution is that this specific incident focuses our attention on formaldehyde when there are many other toxic chemicals stored within Murphy Hall and utilized within the laboratory experiences.

Prairie Engineering has also responded with a **short-term** fix to conditions existing on the west side of the building where the major chemistry stockroom and biology laboratories exist. It would consist of installing a large upblast exhaust fan on the roof and drawing from the two floors below. A new make-up air unit would be needed to heat the increased intake amount of fresh air. A fire detection system that would immediately shut down the HVAC systems in the case of fire is a must. The cost associated with these proposed modifications is estimated at \$120,000.

Given the recommendation of Ed Johnson, our national consultant with Research Facilities Design, and after considering the findings relative to the air quality tests, and recognizing that there is a potentially greater immediate risk associated with other toxic substances being utilized within the facility, Dickinson State University requests the following:

- That the State Board of Higher Education allow the institution to work with the Chancellor to identify and implement appropriate short-term measures to address the air quality issues in Murphy Hall
- That the State Board of Higher Education authorize the Chancellor to utilize existing Board Contingency Funds in addressing short-term remedies.
- That the State Board of Higher Education reconsider the existing prioritization of the 2001-2003 Campus Major Capital Projects recognizing the immediate need to address the safety hazards in Murphy Hall on a long-term basis.

With the Legislative Council Budget Committee on Government Services and local legislators being on campus for their Legislative Budget Tour on Tuesday, September 19, the known elements associated with the potentially hazardous conditions within Murphy Hall were shared with the group. Chancellor Larry Isaak was in attendance at the meeting. State Board of Higher Education President Bill Isaacson was informed of the findings of Badlands Environmental Consulting. In an effort to inform the University community of the situation, a memo has been sent from President Dr. Lee A. Vickers explaining the specifics regarding this situation assuring that any threat to the health and safety of Dickinson State University students, faculty, or staff will be dealt with immediately.

MURPHY HALL "SHORT TERM" AIR QUALITY IMPROVEMENT PROGRESS

The State Board of Higher Education authorized the Chancellor to utilize Board Contingency Funds in an amount not to exceed \$150,000 to perform emergency measures designed to improve the air quality standards within Murphy Hall. The institution acquired architectural and engineering services to develop a process to increase the amount of air movement supporting the structure within the limitations of the facility. The design called for the surface mounting of additional duct work serving the laboratories. This additional duct work is complemented by a make-up air unit and several exhaust fans. The presence of asbestos throughout the facility has created several challenges but contractors have responded in great fashion. Semester break is serving as the time to bring the project together. With a completion date set for January 8, 2001, the institution is encouraged that improved air quality standards will exist within Murphy Hall at the start of Spring Semester.

SUMMARY OF CORRECTIVE ACTIONS COMPLETED

Murphy Hall Temporary Ventilation Project

The Murphy Hall Temporary Ventilation Project was substantially completed on January 17, 2001 at a cost of \$117,974. The project costs were addressed by a \$100,000 transfer from the Board's "Contingency and Capital Improvement Emergency Fund" with the balance being covered through internal reallocations made by Dickinson State University.

The primary purpose of the Murphy Hall Temporary Ventilation Project was to isolate rooms or areas where chemical vapors existed so that those vapors were not carried into the corridors and recirculated into all of the classrooms and offices within the building. The modified system is functioning as intended. Once the system was balanced, the laboratories and chemical storage rooms were running at a negative pressure relative to the corridors thus minimizing vapors from the labs from entering the corridors and being recirculated. This was accomplished by delivering increased quantities of supply air into the upper level corridor of the building. A 100% outdoor rooftop air make-up unit provides the fresh air distributing it via the existing air ductwork. As a result, increased amounts of air are now capable of being exhausted from each of the experimental laboratories and chemical storage rooms.

Mention needs to be made to the fact that in an attempt to address the ventilation concerns in as brief of timeframe as possible and in view of budget constraints and the proposed Murphy Hall Renovation and Addition Project, Dickinson State University acquired and installed a used rooftop make-up air handler obtained at no cost from Minot State University. Installation of the used unit allowed the institution to proceed with the corrective action rather than having to wait several months for the production of a new unit. The decision to use this unit was also based heavily on the premise that this installation was part of a "temporary" fix. It should also be noted that with the large amount of outdoor make-up air now being drawn into the facility, the cost to heat this air

will negatively impact upon our energy costs. Cooling units were not installed in conjunction with the outdoor air make-up unit. This may create future problems in that we may not be able to cool the facility adequately during certain times of the year to provide a conducive learning environment. The steam converter and expansion tank installed to compliment this project were sized to allow for their reuse when the facility is renovated.

Disposal of Outdated Chemicals from Storerooms/Laboratories

The institution worked with the faculty in the Natural Sciences in inventorying chemicals within storerooms and laboratories. Any outdated chemicals were identified as such and disposed of utilizing the chemical disposal firm of Waste Recovery Services, Inc. of Belfield, ND.

April 17, 2002

Alvin Binstock
Dickinson State University
Business Affairs
Dickinson, ND 58601

REGARDING: Murphy Hall
Dickinson state University
RFD Project No. 20000022- 01

Dear Alvin,

Pursuant to our conversation this afternoon regarding space analysis of the proposed Dickinson State University (DSU) expansion of Murphy Hall please find the following attachments.

- RFD teaching laboratory analysis spreadsheet comparing the net square footage (NSF) per student within each laboratory type of twenty undergraduate teaching institutions.
- RFD benchmarking comparisons from thirteen undergraduate teaching institutions of laboratory space per faculty member (FTE).

Please note that the average figures indicated in the attached spreadsheets are comparable to the proposed Murphy Hall addition and renovation program summary figures.

In addition we have analyzed a 1999 study done by the national planning firm Dober, Lidsky, Craig Master Planners which indicates the proposed Murphy Hall teaching laboratory space provided per faculty member is comparable to 44 other undergraduate facilities. This study indicates:

- Average NSF/FTE Biology – (national study) 2260 NSF (Murphy Hall) 2340 NSF.
- Average NSF/FTE Chemistry – (national study) 2550 NSF (Murphy Hall) 2772 NSF.
- Average NSF/FTE Physics - (national study) 2260 NSF (Murphy Hall) 1890 NSF.

The NSF/FTE studies above do not include the greenhouse (2000 NSF) and animal suite (450 NSF). These spaces are intended for multi user group access within the University.

In summary it is our opinion that the proposed new laboratory space for the Murphy Hall biology, chemistry and physics programs fall within national standards and trends of comparable undergraduate teaching institutions.

Murphy Hall
Dickinson state University
RFD Project No. 20000022- 01

Page 2

Sincerely,

Edward G. Johnson, AIA
Project Manager

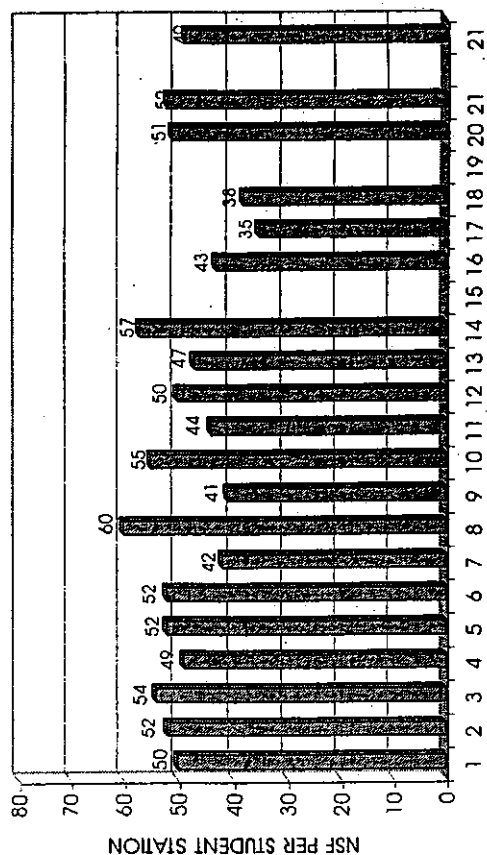
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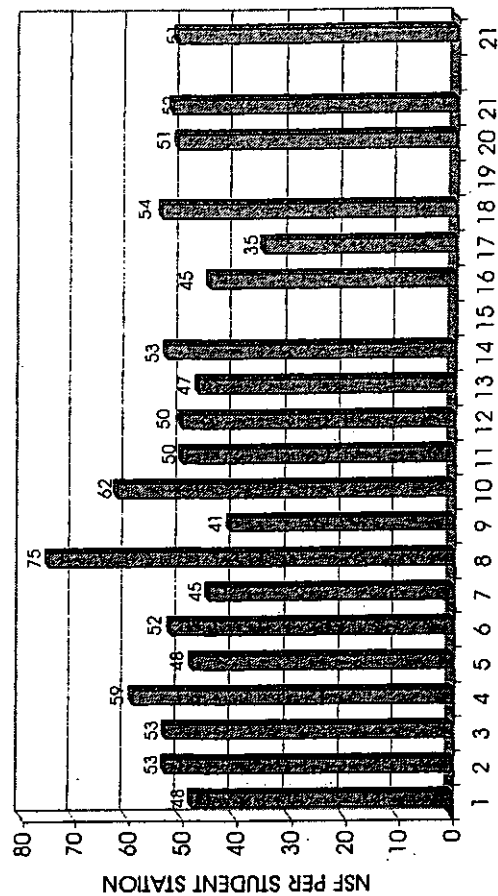
Teaching Laboratory Area Analysis - NSF/Student Station

Projects	Biology				Chemistry				Physics	
	Intro/General Biology	Micro/Cell Biology	Anatomy & Physiology	Botany/Plant Biology	Intro/General Chemistry	Organic Chemistry	Biochemistry	Phys./Analytical Chemistry	Intro/General Physics	Advanced Physics
Spelman College Science Center	50	48	49	49	50	58	54	55	43	55
Grinnell College Noyce Science Center	52	53	56	51	57	84	52	62	49	
Morningside College Science Center	54	53	53	54	54	66	53	54	81	79
University of Redlands Science Building	49	59	55	56	51	56		50		
St. John's University Science Center	52	48	44	44			59			
Hendrix College Physical Sciences Building	52	52	52	52	50	50	50	50	50	59
Carroll College Science Center	42	45	54	42	47	57	47		40	
Edgewood College Science Center	60	75	60	60	67	75		61	61	
Carleton College Science Buildings	41	41	41	41	61	37			43	47
Norwich University Science Building	55	62	70	40	54	46		60		
Kennesaw State Science & Allied Health Building	44	50	38	44	43	43	43	56		
Valdosta State Biology & Chemistry Building	50	50	50	50	50	50	50	56		
Adams State Science Building	47	47	48	52	47	46	53	50	46	49
Bismarck State Science Building	57	53	53		66	47			53	
Brigham Young University Chemistry Building					40	43	54	56		
GVSU Life Sciences Building	43	45	37	34	42	35	39	39	59	
Cameron University Science Building	35	35	35	35	35	35	35	35	41	40
Illinois State Biology & Chemistry Building	38	54		42	50	55	58	46		
NMSU Chemistry Building						49	51			
Lander College Science Building	51	51	52	52	69	82	67	68	38	
Dickinson State University Murphy Hall	52	52	65		52	52		52	52	
Low NSF/Station	35	35	35	34	35	35	35	35	38	40
Average NSF/Station	49	51	51	47	52	53	51	53	50	55
High NSF/Station	60	75	70	60	69	84	67	68	81	79

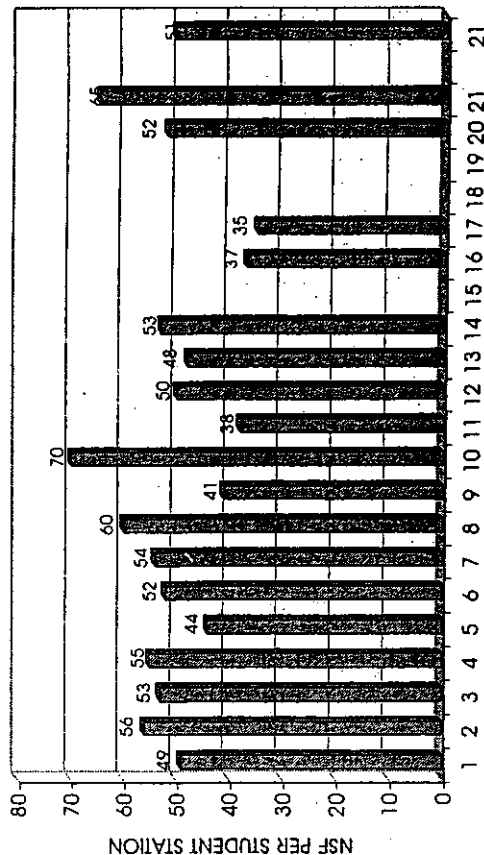
Introductory/General Biology



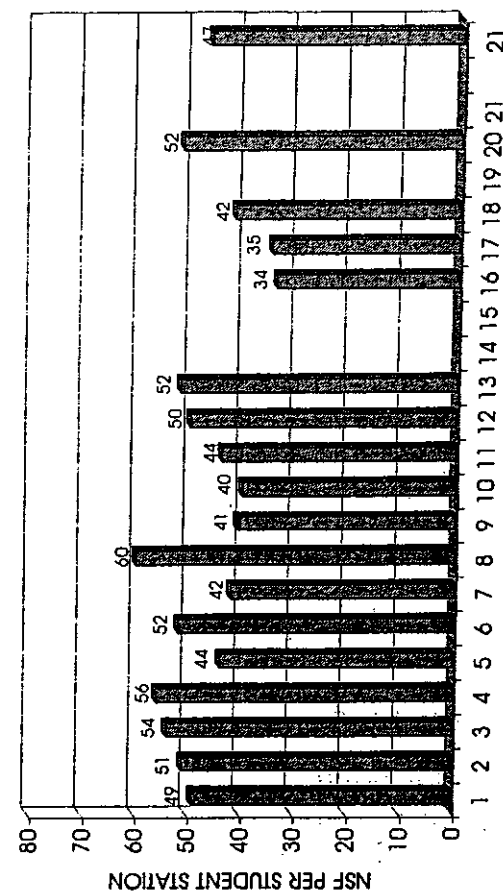
Microbiology/Cell Biology



Anatomy & Physiology



Botany/Plant Biology



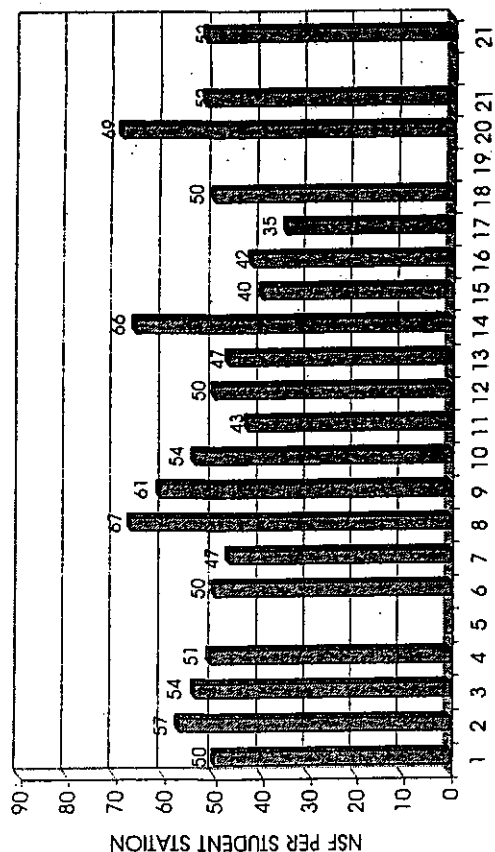
- 1 Spelman College Science Center
- 2 Grinnell College Noyce Science Center
- 3 Morningside College Science Center
- 4 University of Redlands Science Building
- 5 St. John's University Science Center
- 6 Hendrix College Physical Sciences Building
- 7 Carroll College Science Center

- 8 Edgewood College Science Center
- 9 Carleton College Science Buildings
- 10 Norwich University Science Building
- 11 Kennesaw State Science & Allied Health Building
- 12 Valdosta State Biology & Chemistry Building
- 13 Adams State Science Building
- 14 Bismarck State Science Building

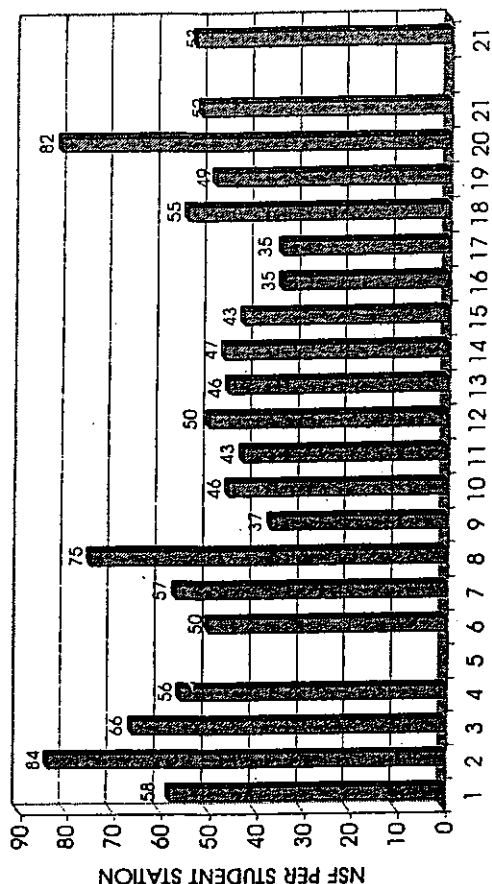
- 15 Brigham Young University Chemistry Building
- 16 GVSU Life Sciences Building
- 17 Cameron University Science Building
- 18 Illinois State Biology & Chemistry Building
- 19 NMSU Chemistry Building
- 20 Lander College Science Building

21 Average NSF

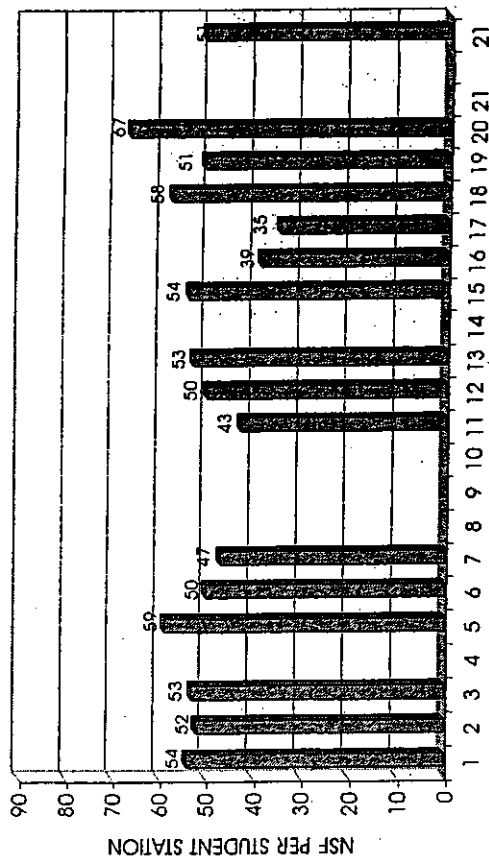
Introductory/General Chemistry



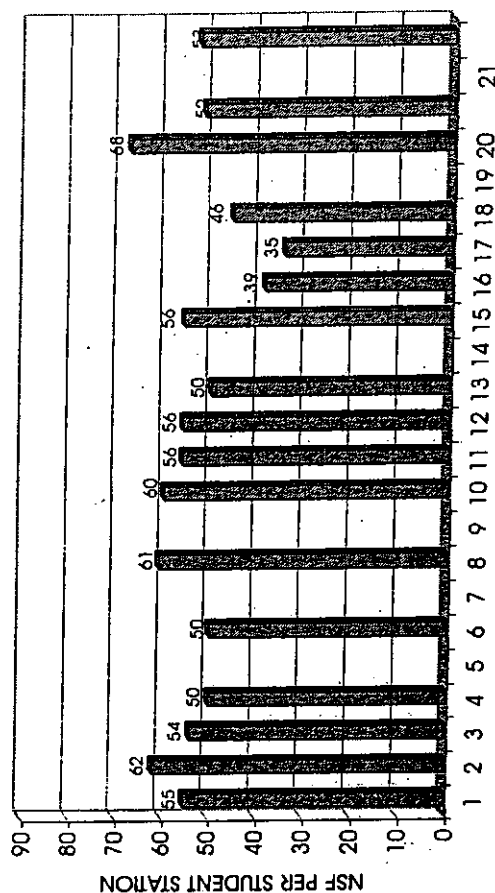
Organic Chemistry



Biochemistry



Physical/Analytical Chemistry



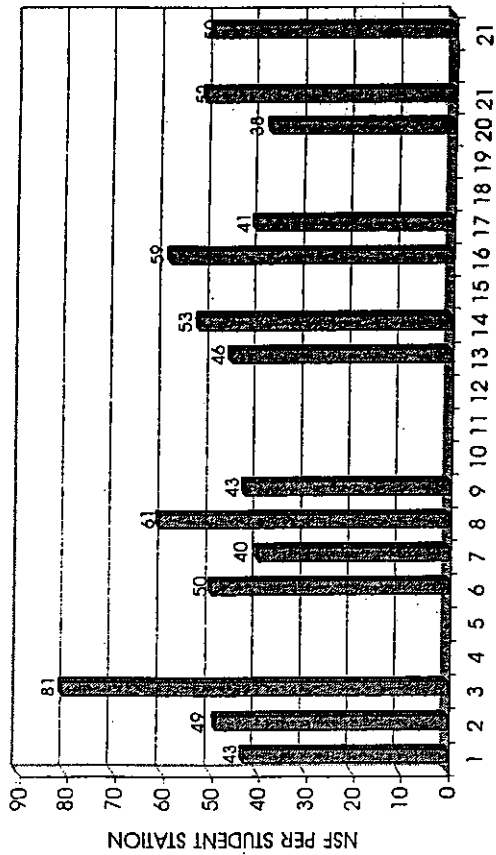
- 1 Spelman College Science Center
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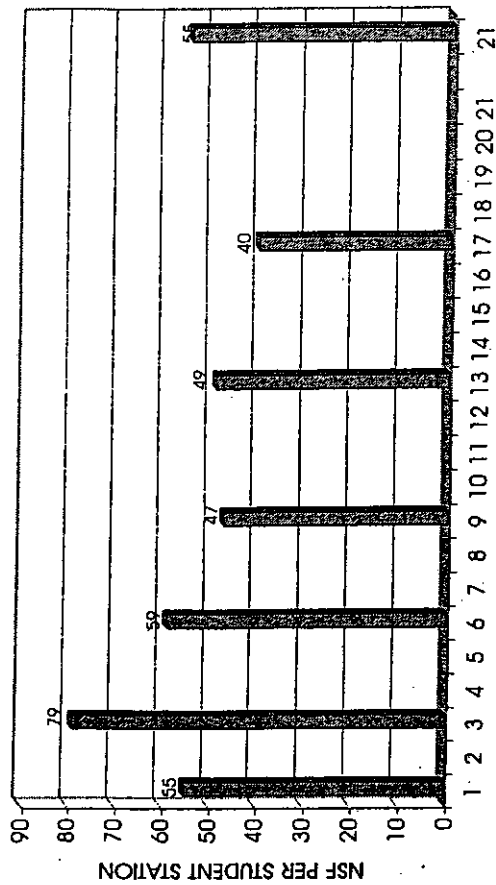
- 15 Brigham Young University Chemistry Building
- 16 GVSU Life Sciences Building
- 17 Carleton University Science Building
- 18 Illinois State Biology & Chemistry Building
- 19 NMSU Chemistry Building
- 20 Lander College Science Building

21 Average NSF

Introductory/General Physics



Advanced Physics



- 1 Spelman College Science Center
- 2 Grinnell College Noyce Science Center
- 3 Morningside College Science Center
- 4 University of Redlands Science Building
- 5 St. John's University Science Center
- 6 Hendrix College Physical Sciences Building
- 7 Carroll College Science Center

- 8 Edgewood College Science Center
- 9 Carleton College Science Buildings
- 10 Norwich University Science Building
- 11 Kennesaw State Science & Allied Health Building
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- 13 Adams State Science Building
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- 15 Brigham Young University Chemistry Building
- 16 GVSU Life Sciences Building
- 17 Carleton University Science Building
- 18 Illinois State Biology & Chemistry Building
- 19 NMSU Chemistry Building
- 20 Lander College Science Building

21 Average NSF

AREA BENCHMARKING COMPARISONS AMONG UNDERGRADUATE INSTITUTIONS

Net Square Feet per Faculty Full-time Equivalent (FTE)

April 17, 2002

Institution	Biology			Chemistry			Math/Comp. Sci.			Geology			Physics			Totals
	Total NSF	FTE	NSF/FTE	Total NSF	FTE	NSF/FTE	Total NSF	FTE	NSF/FTE	Total NSF	FTE	NSF/FTE	Total NSF	FTE	NSF/FTE	
Augustana College	22,400	9	2,489	19,600	9	2,178	N/A						6,900	5	1,380	
Beloit College	19,000	8	2,375	12,610	6	2,102	4,370	6	728				11,400	3	3,800	
Bowdoin College	21,300	7	3,043	22,100	6	3,683	N/A						13,100	4	3,275	
Colby College	24,000	10	2,400	21,200	7	3,029	3,900	10	390				6,700	6	1,117	
Dickinson College	N/A			23,517	9	2,613	9,071	10	907				15,800	11	1,436	
Ginnell College	23,470	9.2	2,551	20,660	6.8	3,038	N/A						17,906	5.6	3,198	
Hope College	32,191	16	2,012	28,686	16	1,793	N/A						N/A			
Macalester College	20,239	7.5	2,699	17,930	7	2,561	5,782	11	526				12,116	4	3,029	
St. Olaf College	37,563	14.5	2,591	28,883	10.33	2,796	15,983	9.17	1,743							
University of St. Thomas	23,500	11.1	2,117	16,725	9	1,858	15,975	26.33	607				9,775	4.4	2,222	
Williams College	28,400	13.1	2,168	N/A			5,900	9.4	628				N/A			
Average NSF/FTE			2,444			2,565			790						2,432	
Dickinson State University	10,530	4.5	2,340	6,930	2.5	2,772	n/a			DICA Avg.		2,250	1,890	1	1,890	
Murphy Hall	See notes									n/a						

NOTES:

1. Information for this analysis was gathered from a variety of sources, including building architects, master plan consultant, and RFD's own database.
2. NSF (net square feet) figures include all departmental space (such as teaching and research laboratories, laboratory support space).
3. NSF figures do NOT include classroom spaces.
4. NSF figures do NOT include corridors, toilets, custodial space, stairs, elevators, shafts, mechanical/electrical equipment spaces, etc.
5. Biology figure does NOT include the green house or animal suite.

Murphy Hall Addition and Renovation
Research Facilities Design

Dickinson State University
Dickinson, ND

*With the
exception of this
page -
same testimony
given to the
House*

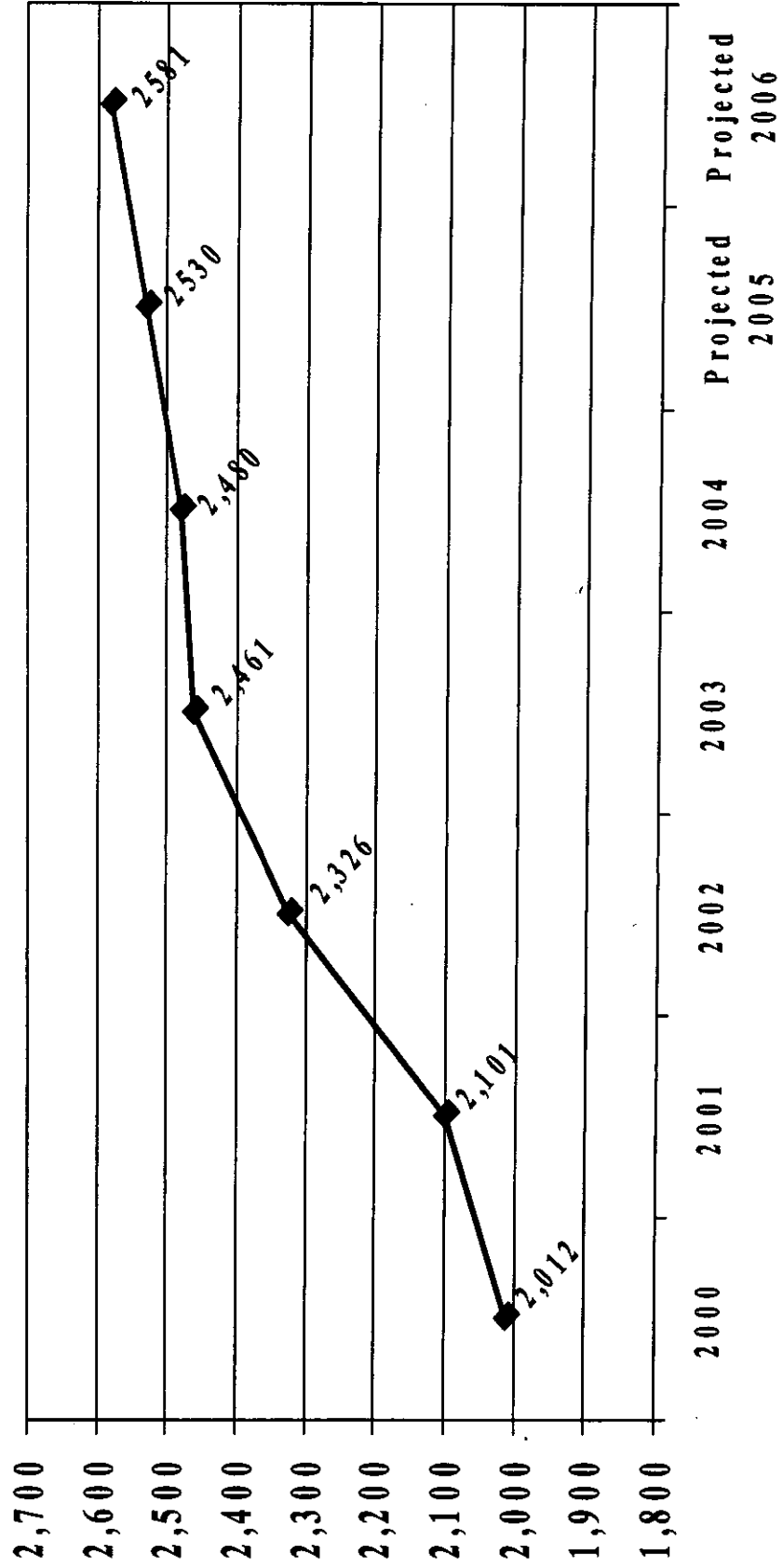
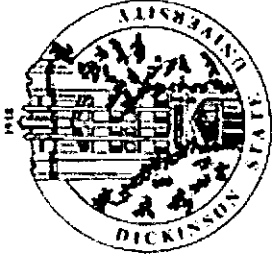


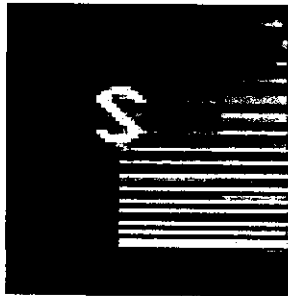
**TESTIMONY
ON
SENATE BILL NO. 2023 (BONDING BILL)**

MARCH 8, 2005

**MURPHY HALL
RENOVATION-PHASE II**

Fall Enrollment 2000 - 2006





59TH LEGISLATIVE ASSEMBLY

SENATE APPROPRIATIONS COMMITTEE

Ray Holmberg - Committee Chairman
Bill L. Bowman - Vice Chairman
Tony S. Grindberg - Vice Chairman

Senate Bill 2023 - Bonding

January 12, 2005

NDSCS Electrical Distribution System Upgrade and Replacement (Phase II of IV \$736,000)

Introduction

✧ The following narrative outlines the proposed scope of work associated with NDSCS's plan to replace its outdated electrical distribution system as well as implement an improved emergency power generation system to meet life safety code.✧

● The project will be split into four phases; Phase I was completed in 2002. The initial portion of Phase II (Life Safety Generators) was completed in 2004 and was funded through the college's Extraordinary Repair budget. The purpose of this project was to improve the operational safety and system reliability of the primary electrical distribution system, establish a campus Emergency/Life Safety electrical system, and to provide for ease of future maintenance and system expansion capabilities. (State Fire Marshall)

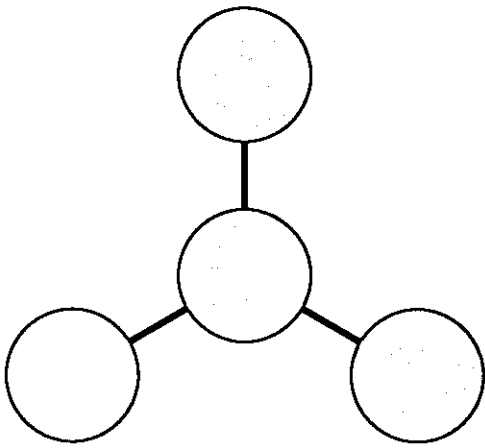
Existing Primary Distribution System

The existing system operates at 2,400/4,160 Volts. Under the existing system, each circuit feeds a cluster of buildings. At present, there is no possible interconnection of circuits, or any capability to isolate a given portion of the system without disabling the entire circuit and all associated buildings. The existing generator is rated at 800KVA and is connected directly to the system main bus through a "breaker" transfer scheme. In order to utilize the generator, it is necessary to reduce the overall load by turning some of the circuits "OFF." This leaves certain services completely without power.

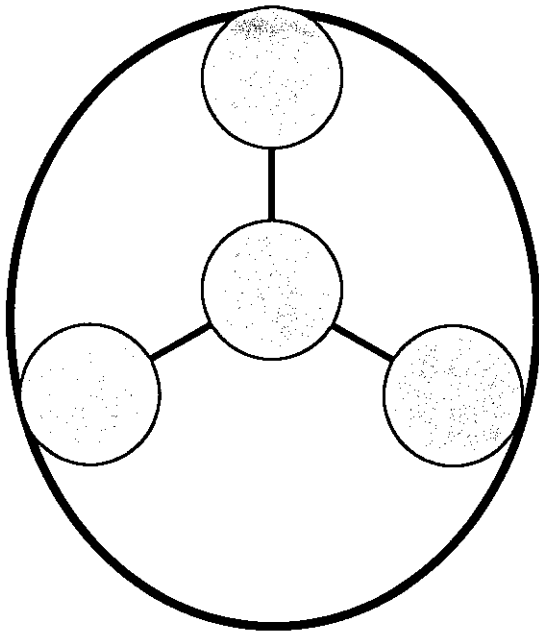
Design

A 12,470V (15kV) system has been selected due to distinct advantages over the existing 4,160V (5kV) system. The 15kV single loop is more simplistic and is easier to operate and maintain than a multiple loop 5kV system. Electrical services at buildings will include replacement of the existing transformer and re-connection to the existing secondary conductors into the building. The existing 208V or 480V service panels will not be replaced or upgraded as part of this project.

Current System Vs. New System



- Current system



- New System

Emergency System – Life Safety

The National Fire Protection Agency (NFPA) dictates requirements for electrical systems within buildings. A portion of these requirements are associated with emergency systems. The Emergency Electrical System will be intended to meet these Life Safety requirements. The Life Safety Emergency System will consist of multiple generators; each serving a cluster of buildings. In 2004, two new generators were installed and modifications were made to two existing generators. This work is bringing a total of nine buildings into compliance with the Life Safety requirements. Within each building, there will be a "Life Safety" Panel, with only NFPA allowed circuits (emergency egress lighting, fire alarm panel, etc).

Construction Budget and Construction Phasing

The project is being designed for construction to take place in phases. At present, four separate phases are identified along with their respective estimated construction costs. The estimates include only the estimated construction costs and engineering fees. There is not an escalation factor due to inflation.

Phase I (Completed 2002) consisted of establishing the first 15KV service and metering point. It included duct bank, feeders and replacement of nine existing electrical services. This phase replaced the majority of the existing direct buried conductors. (\$615,000)

Phase II (Targeted Construction date - 2005) will consist of replacing conductors and electrical services for the remaining buildings. It will also consist of removing the existing 5KV conductors. A majority of the areas covered in this phase have existing ducts and duct banks. (estimated \$736,000)

● Phase III (Targeted construction date - 2008) will consist of installing additional Life Safety emergency generators on the south side of the campus. It will also include final demolition work of the 5KV switchgear which will be eliminated in the Electrical Building. (estimated \$504,000)

● Phase IV (2003, 2004 - on-going, 2005 - targeted date?) will consist of installing Life Safety Emergency systems within individual buildings that presently have inadequate emergency systems. Branch circuitry modifications within each building of this initial phase are being completed by NDSCS maintenance staff. Total of remaining Phase IV projects estimated at \$400,000. This work will include automatic transfer switches and branch circuitry within the buildings. Not included in projects is Engineering Fees & Contingency Fees.

Background Information on Infrastructure

FY1999-01 **\$4,160,000**

(Steam Lines and Roofs \$2,000,000 Performance

Contracting \$1,900,000 and Parking Lots \$260,000)

FY 2001-03 **\$3,100,000**

(Parking Lots \$1,000,000 and Steam Lines,

Roofs and Electrical Distribution \$2,100,000)

FY 2003-05

Steam Line Break **\$344,350**

**(Steam line funded from deferred maintenance
\$249,750, SBHE \$47,300 and local funds
\$47,300)**

Student Union Chiller **\$220,000**

**(Chiller replacement funded from deferred
maintenance \$100,000 and local funds of \$120,000)**

Life Safety Codes **\$607,800**

(Deferred maintenance and Local Funds)

FY 2005-07 Requested (Electrical Distribution) **\$736,000**

Capital Projects Requested for FY 2005-2007

Number One Priority

Infrastructure

Steam Lines Replacement

\$1,502,280

**Electrical Distribution System
Upgrade and Replacement**

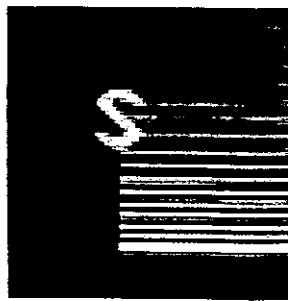
\$1,918,800

Total Requested

\$3,421,080

**Approved by SBHE
Electrical Distribution
Phase II of IV**

\$736,000



59TH LEGISLATIVE ASSEMBLY

HOUSE APPROPRIATIONS – GOVERNMENT PERFORMANCE DIVISION:

Al Carlson - Committee Chairman

Bob Skarphol - Vice Chairman

Eliot Glassheim

David Monson

*With exception
of those
pages, some
testimony given
to the Senate*

Senate Bill 2023 - Bonding

March 08, 2005

NDSCS Electrical Distribution System Upgrade and Replacement (Phase II of IV \$736,000)

Introduction

The following narrative outlines the proposed scope of work associated with NDSCS's plan to replace its outdated electrical distribution system as well as implement an improved emergency power generation system to meet life safety code. The project will be split into four phases; Phase I was completed in 2002. The initial portion of Phase II (Life Safety Generators) was completed in 2004 and was funded through the college's Extraordinary Repair budget. The purpose of this project was to improve the operational safety and system reliability of the primary electrical distribution system, establish a campus Emergency/Life Safety electrical system, and to provide for ease of future maintenance and system expansion capabilities.

Scope of System Design

The scope of the design will be to upgrade/replace existing components, cable, equipment and other previously identified areas of hazards or concerns associated with the primary distribution system. Previous studies recommended that the improved system be based on a "loop feed" design in order to maximize system reliability and flexibility. Due to existing equipment conditions, service entrance switchgear at certain buildings should be replaced in conjunction with the primary electrical transformer and service conductors.

Existing Primary Distribution System

Phase I replaced approximately one half of the original 5kV system. Under the original system, each circuit feeds a cluster of buildings without the possibility to interconnect circuits, or any capability to isolate a given portion of the system without disabling the entire circuit and all associated buildings.

The existing generator is rated at 800kVA and is connected directly to the system main bus through a "breaker" transfer scheme. In order to utilize the generator, it is necessary to reduce the overall load by turning some of the circuits "OFF." This leaves certain services completely without power

Design

A 12,470V (15kV) system was implemented in Phase I. This 15kV single loop design is more simplistic and easier to operate and maintain. Until the remainder of the primary system is constructed under Phase II, the system is incomplete and does not allow for interconnection or isolation of buildings. Electrical work at buildings will include replacement of the existing transformer and reconnecting the existing service panels.

Phase III (Targeted construction date - 2008) will consist of installing additional Life Safety emergency generators on the south side of the campus. It will also include final demolition work of the 5KV switchgear which will be eliminated in the Electrical Building. (estimated \$504,000)

Phase IV (2003, 2004, on-going - 2005 - Targeted Construction Date?) will consist of installing Life Safety Emergency systems within individual buildings that presently have inadequate emergency systems. Branch circuitry modifications within each building of this initial phase are being completed by NDSCS maintenance staff. It is the intent to fund this work with the College's Extra Ordinary Repair Budget.

Individual Building Services

Most building service replacements will include the replacement of the transformer and the reconnection of existing service conductors. The exceptions are Trade Tech #2 and Haverty Hall.

Trade Tech #2 is a 120/240V 3 Phase, Delta, service. Most of the service switchgear equipment is in poor condition; however, there is extensive equipment within this facility that cannot be converted to 208V (WYE). The College's intention is to replace the service switchgear equipment in Phase II.

At Haverty Hall, the existing primary transformer is incorporated into the service switchgear. As a result it will be necessary to replace the switchgear in Phase II.

MSU-BOTTINEAU

MAJOR CAPITAL PROJECT...A THATCHER HALL ADDITION TO REPLACE OLD MAIN – RANKED #4 ON THE SBHE PRIORITY LIST

- I. *An "Old Main Solution" is required to meet standards for health safety, ventilation, efficiency, lighting, stability, etc. that will provide optimum educational usefulness:***

MSU-Bottineau is seeking funding to construct an addition to Thatcher Hall to accommodate the functions now housed in Old Main. Old Main is 98 years old and has come to the end of its useful life:

Structural Deficiencies

- The building is not accessible to the mobility impaired
- Masonry needs tuck pointing
- Roof needs re-shingling
- Dormers require repair and paint
- Walls have alkaline deterioration
- Exterior doors need replacing
- Insulation required
- Relighting required
- Walls are cracking
- Restroom fixture count is inadequate
- Electrical, plumbing, heating systems require updating

Safety Hazards

- Concrete floors are broken and uneven
- Interior finishes are not flame resistant
- Stairs are constructed of wood
- Stairwells are open
- Doors are not fire rated
- Ventilation air is non-existent
- Stairway run/rise is not to code
- Corridor walls and glass not fire rated
- Fire escapes are not to code

According to a 2002 study, the expenditure necessary to simply sustain the building for the next six to ten years is approximately \$1,000,000; thus, a commitment to replace Old Main must be made soon as the building repairs required to enable us to continue using the facility for just the next decade are substantial.

- II. *Enhancements to the learning environment that will accompany the replacement of Old Main with an addition to Thatcher Hall:***

- Allows complete accessibility for the mobility impaired; Thatcher and Old Main are not now accessible
- Affords flexible and usable space as programs change to accommodate campus needs
- Increases security, supervision, and accessibility for the Library by moving the resource to one floor
- Provides a safe and healthful environment for student learning
- Incorporates up-to-date technology into a new structure
- Creates more effective user relationships
- Provides large group meeting rooms which are currently unavailable on campus

Sixty percent of the college's students are in general education/transfer programs. Old Main is the primary classroom building for these courses.

Cost of addition = \$2,500,000
Location of addition = east side of Thatcher Hall; providing approximately 19,000 square feet on three levels