

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2087

2005 SENATE APPROPRIATIONS

SB 2087

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2087

Senate Appropriations Committee

☐ Conference Committee

Hearing Date 01/20/05

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

Minutes: **Chairman Holmberg** called meeting to order on SB 2087.

**Colonel Bryan Klipfel, Superintendent, NDHP** appeared in support of SB 2087. Written testimony was provided. Questions were asked regarding the key card system, how and why people must check in and out.

No more questions were asked of Colonel Klipfel.

**Chairman Holmberg** closed meeting on SB 2087.

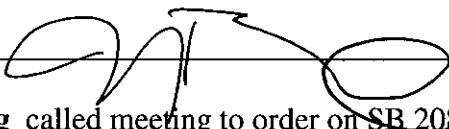
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2087

Senate Appropriations Committee

☐ Conference Committee

Hearing Date 02/11/05

Tape Number	Side A	Side B	Meter #
2		x	2,313-2569
Committee Clerk Signature 			

Minutes: **Chairman Holmberg** called meeting to order on SB 2087.

**Sen. Christmann** went through amendment, explaining them as he read through it. Regarding page one line 12, ending the sentence after the word them.

A **Do Pass as Amended** motion was made by Sen. Mathern, seconded by Sen. Bowman. 14 to 0, with 1 absent. Sen. Christmann will carry the bill.

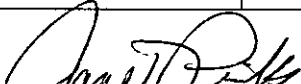
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2087

Senate Appropriations Committee

☐ Conference Committee

Hearing Date March 21, 2005

Tape Number	Side A	Side B	Meter #
2	a		0-89
Committee Clerk Signature 			

Minutes:

**Chairman Holmberg** called the discussion to order on SB 2087. He indicated that this bill relates to transferring the security of the Capitol to the Highway Patrol and the House put on an amendment that he was inclined to support. The amendment indicates the Highway Patrol would determine the manner to handle keys to the building. **SB 2087 was returned with a DO CONCUR. Senator Christmann will carry the bill.**

The discussion closed.

**FISCAL NOTE**  
**Requested by Legislative Council**  
12/20/2004

Bill/Resolution No.: SB 2087

**1A. State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

**1B. County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2003-2005 Biennium			2005-2007 Biennium			2007-2009 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

**2. Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

No aspect of the measure will cause fiscal impact. OMB Facility Management will continue administration of key/door control software/hardware system. Highway Patrol personnel would be responsible for key issuance and return. This would be handled by existing Highway Patrol security personnel.

**3. State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

N/A

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

N/A

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

N/A

<b>Name:</b>	Bryan Klipfel	<b>Agency:</b>	Highway Patrol
<b>Phone Number:</b>	328-2455	<b>Date Prepared:</b>	12/29/2030

PROPOSED AMENDMENTS TO SENATE BILL NO. 2087

Page 1, line 13, overstrike "which may have been issued to them by the"

Page 1, line 14, remove "highway patrol"

Renumber accordingly

?

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

**2005 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. SB 2087**

Senate SENATE APPROPRIATIONS

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken

DO PASS AS Amended

Motion Made By

M

Seconded By

B

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)

14

No

0

Absent

1

Floor Assignment

Christmann

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



**REPORT OF STANDING COMMITTEE**

**SB 2087: Appropriations Committee (Sen. Holmberg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2087 was placed on the Sixth order on the calendar.**

Page 1, line 13, overstrike "which may have been issued to them by the"

Page 1, line 14, remove "highway patrol"

Renumber accordingly

2005 HOUSE APPROPRIATIONS

SB 2087


2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2087

House Appropriations Committee  
Government Operations Division

☐ Conference Committee

Hearing Date Monday, March 9, 2005

Tape Number	Side A	Side B	Meter #
1	X		43.1-end
1		X	00-6.1
Committee Clerk Signature 			

Minutes:

**Chairman Carlisle** opened the Hearing on SB 2087 concerning the transfer of capitol security from the Office of Management and Budget to the N.D. Highway Patrol. **Colo. Bryan Klipfel, Superintendent North Dakota Highway Patrol**, read his testimony in support in support of SB 2087 (See Handout #1).

**Rep. Timm** asked if the keys the legislators use will continue to be controlled by Legislative Council and **Colo. Klipfel** confirmed and said the main function of the Highway Patrol will be to monitor. If there are problems, they will be dealt with individually.

**Rep. Thoreson** mentioned with regard to security in general that a recent visitor from Tel Aviv, Israel, was surprised that post 9/11 the building has so little security. **Colo. Klipfel** said that is an issue and he noted that we enjoy an open legislature. **Rep. Thoreson** went on to tell the committee that the Cass County Court House has scanning equipment and everything is searched.

Page 2

Government Operations Division

Bill/Resolution Number SB 2087

Hearing Date Wednesday, March 9, 2005

**Colo. Klipfel** said the same is true of any government agency in Washington D.C. So far, in Bismarck there have been few problems. **Rep. Thoreson** observed we are still a people's legislature and **Colo. Klipfel** said the Agency would like to keep it that way.

**Rep. Timm** asked about the amount of the appropriation and **Mr. Joe Morrisette** said \$400,000, which is included in the Highway Patrol budget.

**Rep. Timm** moved to amend SB 2087 to suspend the administrative process for the issue and return of keys; **Rep. Thoreson** seconded. Hearing no further discussion, **Chairman Carlisle** called for Roll Call Vote #1. Motion passed 6-0-0.

**Rep. Thoreson** moved for a Do Pass SB 2087 as amended; **Rep. Kempenich** seconded. Hearing no further discussion, **Chairman Carlisle** called for Roll Call Vote #2. Motion passed 6-0-0.

**Chairman Carlisle** closed the Hearing on SB 2087.

(Meter #6.1)

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2087

House Appropriations Committee  
Government Operations Division

☐ Conference Committee

Hearing Date Thursday, March 10, 2005

Tape Number	Side A	Side B	Meter #
1	X		8.0-9.1
Committee Clerk Signature <i>Don W. Tenkate</i>			

Minutes:

**Chairman Carlisle** opened discussion on SB 2087 concerning the transfer of capitol security from the Office of Management and Budget to the N.D. Highway Patrol.

The Committee reviewed Amendment .0201 and determined it read as intended.

**Chairman Carlisle** closed discussion on SB 2087.

(Meter #9.1)

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2087

Transfer of Capitol Security from OMB to Highway Patrol

House Appropriations Full Committee

☐ Conference Committee

Hearing Date March 15, 2005

Tape Number	Side A	Side B	Meter #
1	X		#27.0 - #35.3
Committee Clerk Signature <i>Chris Alexander</i>			

Minutes:

**Rep. Ken Svedjan, Chairman** opened the discussion on SB2087.

**Rep. Blair Thoreson** explained that this bill transfers the function of security for the capitol complex from OMB to the highway patrol and there is an amendment #0201. The amendment deals with the language on page 2. There was a security assessment of the capitol complex done in 2004 and it was recommended at that time that all the security functions should be combined under the jurisdiction of the highway patrol. One of the responsibilities is to oversee the issuance's of the card keys that provide access to the building, with the only exception being the legislative council who oversees the card keys of the legislative assembly members. Because of the changes in security the highway patrol asked to be excluded from the rule making procedures regarding the issuance's of keys. The amendment here would allow the highway patrol to decide the manner in which the issuance of keys for the capitol building is accomplished.

**Rep. Blair Thoreson** moved to adopt amendment #0201 to SB2087

**Rep. Ron Carlisle** seconded

**Rep. Ken Svedjan, Chairman** called for a voice vote on the motion to adopt amendment #0201 to SB2087. Motion carried.

**Rep. Blair Thoreson** commented that there is no fiscal impact in this bill.

**Rep. Blair Thoreson** moved a Do Pass As Amended motion for SB2087

**Rep. Ron Carlisle** seconded

**Rep. Bob Skarphol** commented that OMB is exempted from the rule making process so does there need to be a removal of the rules in existence. (meter Tape #1, side A, #30.2)

**Ms Lori Laschkewitsch** from OMB answered that she would need to check specifically regarding the Highway Patrol.

**Rep. Ken Svedjan, Chairman** asked if there were any changes in facilities that relate to the security function going to the highway patrol.

**Rep. Blair Thoreson** answered that there were no facility changes.

**Rep. Francis J. Wald** asked if there was a comprehensive plan to protect state offices and the capitol building.

**Rep. Ken Svedjan, Chairman** answered there are plans for converting parking to a grassed in mall and this just part of the comprehensive plan in place.

**Rep. Ron Carlisle** commented on the elaborate security system in the complex which you can tour.

**Rep. Ken Svedjan, Chairman** commented that the security is rather comprehensive here

**Rep. David Monson** asked what effect this bill has as far as the security because the highway patrol already has a part in this, so is it merely a change in budgets

**Rep. Ron Carlisle** answered that this was correct.

**Rep. James Kerzman** asked how we would handle the funding for the Highway Patrol when we get to that since we are expanding their duties. Is the general funding going to change.

**Rep. Blair Thoreson** answered that the general funds for this would be transferred from OMB with this bill.

**Rep. Bob Skarphol** asked that if anyone did ask for a tour of the security system that they keep the request at a low key level so our security is not on display for everyone.

**Rep. Mike Timm, Vice Chairman** commented that the highway patrol budget already shows this transfer of \$438,000 and 4 FTE's for this transfer of security responsibilities.

**Rep. Ken Svedjan, Chairman** called for a roll call vote on the Do Pass As Amended motion for SB2087. Motion carried with a vote of 21 yeas, 0 nays and 2 absences. Rep Thoreson will carry the bill to the house floor.

**Rep. Ken Svedjan, Chairman** closed the discussion on SB2087. (meter Tape #1, side A, #35.3)



Date: 3/9/05  
Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2087

House House Appropriations Government Operations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Amend to suspend administrative

Motion Made By Rep. Timm Seconded By Rep. Thoreson

Representatives	Yes	No	Representatives	Yes	No
Chairman Carlisle	✓		Rep. Kroeber	✓	
Rep. Timm	✓		Rep. Williams	✓	
Rep. Kempenich	✓				
Rep. Thoreson	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment \_\_\_\_\_

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

March 9, 2005

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2087

Page 2, line 7, overstrike "promulgate rules and regulations"

Page 2, line 8, overstrike "regarding" and insert immediately thereafter "determine"

Renumber accordingly

Date: 3/9/05  
Roll Call Vote #: 2

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2087

House House Appropriations Government Operations Committee

☐ Check here for Conference Committee

\* Legislative Council Amendment Number 58089.0201

Action Taken Do Pass AS Amended

Motion Made By Rep. Thoreson Seconded By Rep. Kempenich

[illegible]

Total (Yes) 6 No 0

Absent 0

Floor Assignment Rep. Blair Thoreson

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

Date: March 15, 2005  
Roll Call Vote #: 1

**2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. SB2087**

House Appropriations - Full Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 58089.0201

Action Taken DO PASS AS AMENDED

Motion Made By Rep. Thoreson Seconded By Rep. Carlisle

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	AB		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	X	
Rep. Ron Carlisle	X		Rep. Ralph Metcalf	X	
Rep. Keith Kempenich	X				
Rep. Blair Thoreson	X				
Rep. Joe Kroeber	X				
Rep. Clark Williams	AB				
Rep. Al Carlson	X				

Total Yes 21 No 0

Absent 2

Floor Assignment Rep. Thoreson

If the vote is on an amendment, briefly indicate intent: GO Do Pass As Amended 6-0 Thoreson

REPORT OF STANDING COMMITTEE (410)  
March 15, 2005 4:16 p.m.

Module No: HR-47-5086  
Carrier: Thoreson  
Insert LC: 58089.0201 Title: .0300

**REPORT OF STANDING COMMITTEE**

SB 2087, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2087 was placed on the Sixth order on the calendar.

Page 2, line 7, overstrike "promulgate rules and regulations"

Page 2, line 8, overstrike "regarding" and insert immediately thereafter "determine"

Renumber accordingly

2005 TESTIMONY

SB 2087

*Same given  
to the  
Senate*

Senate Bill 2087

Submitted by

Colonel Bryan Klipfel, Superintendent - NDHP

#1  
H. App. G.O.  
Wed. 3/9/05  
Re: SB2087

Good morning, Mr. Chairman and members of the House Government Operations Committee. My name is Bryan Klipfel and I am Superintendent of the North Dakota Highway Patrol.

In April 2004, the NDHP contracted with The Wackenhut Corporation to conduct a security assessment at the State Capitol Complex. The objective of the security assessment was identification of threat and the vulnerabilities that exist at the State Capitol Complex. Funding for the security assessment and planned upgrades and enhancements to security equipment was made available through a federal grant from Homeland Security.

One recommendation was to combine security functions under the jurisdiction of one agency with that agency being the NDHP. It was recommended that an NDHP supervisor be designated to oversee security responsibilities and personnel. On October 25, 2004, Highway Patrol Sergeant Pedro Armendariz was reassigned as the Director of Security at the State Capitol.

One of the security responsibilities of the NDHP under this change was to oversee the issuance of keys to access the Capitol. Under this proposal, the NDHP would monitor who were issued keys to access the Capitol.

Facility Management would retain ownership and maintenance responsibilities for locks, doors, and software to regulate access to the Capitol.

I would like to propose that SB 2087 be amended to exclude from the administrative rules process the issuance and return of keys.

Thank you, Mr. Chairman. I would be happy to answer any questions you have at this time.