

PUBLIC BUILDINGS

CHAPTER 511

HOUSE BILL NO. 1111
(Committee on State and Federal Government)
(At the request of the Board of Higher Education)

EMERGENCY EXEMPTION FROM PUBLIC BUILDING BID REQUIREMENTS

AN ACT to amend and reenact section 48-02-03 of the North Dakota Century Code, relating to the requirements for securing bids for public buildings.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 48-02-03 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

48-02-03. Method used in securing bids. The governing board shall advertise for bids for the doing of the work for which plans, drawings, and specifications are required by section 48-02-02. Such advertisement shall be published for three successive weeks, the first publication thereof to be at least twenty-one days prior to the date of the opening of bids thereunder. Such advertisement shall be published in the official newspaper of such municipality or political subdivision, and also in some trade publication of general circulation among the contractors, building manufacturers, and dealers of this state. Alterations or improvements may be accomplished by a state department or institution on competitive bids or on a time and material basis or by institutional personnel if the total cost of any one project does not exceed the sum of twenty-five thousand dollars. In instances where a contractor is performing work on a time and material basis, all materials and all labor supplied by such contractor must be obtained by competitive estimates from qualified suppliers for projects. The requirements of this section may be waived by the governing board if it determines that an emergency situation exists requiring the prompt destruction, demolition, or repair of an existing building, facility, or portion thereof, and a contract may be made for such prompt destruction, demolition, or repair without seeking bids.

Approved March 14, 1985

CHAPTER 512

SENATE BILL NO. 2305
(Senator Todd)
(Representatives Unhjem, Retzer)

PUBLIC BUILDING LEASES

AN ACT to amend and reenact sections 48-08-07 and 54-40-02.1 of the North Dakota Century Code, relating to term limitations on the lease of public buildings.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 48-08-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

48-08-07. Lease of public buildings - Terms. No lease of any public building or part of any public building under the provisions of section 48-08-06 shall be for a longer term than ~~one year~~ two years, except as may be otherwise provided by city ordinance. Such lease shall be to a responsible party offering the highest return to the municipality and the use or occupation of the building shall not interfere with the use of such building for public purposes. The governing body may reserve the right to reject any and all bids.

SECTION 2. AMENDMENT. Section 54-40-02.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-40-02.1. Building management commission for county and city building - Lease authority. Any agreement entered into between a county and a city under this chapter for the acquisition, construction, and maintenance of a building for their joint use by bonds issued pursuant to section 54-40-03 shall provide for a building management commission composed of elected officials of the county, elected officials of the city, and representatives of the public, with the exact number of each to be specified in the agreement. The agreement shall specify the powers to be exercised by the building management commission with respect to the acquisition, construction, and maintenance of the building, and with respect to any lease entered into by the commission and any noncounty and noncity governmental entity for use of a portion of the building. Notwithstanding section 48-08-07, a lease of a portion of any building used jointly by a county and a city pursuant to this section may be for a term longer than ~~one year~~ two years.

Approved March 30, 1985

CHAPTER 513

SENATE BILL NO. 2382
(Mushik, Satrom, Kelly)

CAPITOL ARTS AND HISTORIC PRESERVATION COMMITTEE FUND

AN ACT to create and enact a new section to chapter 48-11 of the North Dakota Century Code, relating to a special operating fund to be administered by the capitol arts and historic preservation advisory committee; and providing limited continuing appropriation authority to expend moneys received as gifts and grants.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. A new section to chapter 48-11 of the North Dakota Century Code is hereby created and enacted to read as follows:

Special operating fund - Acceptance of gifts - Continuing appropriation.
A special operating fund for the capitol arts and historic preservation advisory committee must be maintained in the state treasury. The committee may accept any federal funds and any other gifts and money from any source that may be offered to the committee. All moneys received by the committee as gifts, donations, grants, or bequests, including all federal moneys, must be deposited in the special operating fund. All expenditures from the fund must be made on vouchers, approved and signed by the chairman or secretary of the committee and submitted to the office of management and budget for approval and payment. The committee may expend funds in the special operating fund, not to exceed ten thousand dollars per biennium, for improvements, furnishings, decorations, and fixtures in and around the state capitol and other state buildings, facilities, and properties.

Approved March 22, 1985