

CHAPTER 54-21
STATE OFFICES, CAPITOL, AND CAPITOL GROUNDS

54-21-01. Definition of board.

Repealed by S.L. 1969, ch. 440, § 13.

54-21-02. Board of administration - Members - Appointment - Term of office - Removal.

Repealed by S.L. 1969, ch. 440, § 13.

54-21-03. Appointive members of board to give all their time to duties of office - Oath - Bond.

Repealed by S.L. 1969, ch. 440, § 13.

54-21-04. Salary, mileage, and travel expense of members of the board of administration.

Repealed by S.L. 1969, ch. 440, § 13.

54-21-05. Chairman of the board of administration - When elected - Quorum - Offices.

Repealed by S.L. 1969, ch. 440, § 13.

54-21-06. Director of institutions - Appointment - Term - Additional employees - Compensation - Removal - Expenses.

Repealed by S.L. 1991, ch. 592, § 47.

54-21-06.1. Director of institutions to be substituted for board, members of board, and secretary of board.

Repealed by S.L. 1991, ch. 592, § 47.

54-21-07. Bonds required of director and his employees who have control of money.

Repealed by S.L. 1991, ch. 595, § 3.

54-21-08. Official seal.

Repealed by S.L. 1969, ch. 440, § 13.

54-21-09. Report of director to governor and office of management and budget.

Repealed by S.L. 1991, ch. 592, § 47.

54-21-10. Daily record.

Repealed by S.L. 1991, ch. 592, § 47.

54-21-11. Governor may require additional report.

Repealed by S.L. 1991, ch. 592, § 47.

54-21-12. Suggestions for legislation included in report.

Repealed by S.L. 1991, ch. 592, § 47.

54-21-13. Child welfare - Mentally deficient persons - Powers and duties of director.

Repealed by S.L. 1989, ch. 156, § 54.

54-21-14. Executive officer for child welfare - Authority to employ.

Repealed by S.L. 1961, ch. 337, § 1.

54-21-15. Regulations by board of administration for private institutions receiving state appropriations.

Repealed by S.L. 1959, ch. 372, § 117.

54-21-16. Financial report to board of administration of private institutions receiving state appropriations.

Repealed by S.L. 1959, ch. 372, § 117.

54-21-17. Construction superintendent - Appointment - Duties.

Repealed by S.L. 1983, ch. 511, § 8.

54-21-17.1. Superintendent to secure capitol building, capitol grounds, and executive mansion - Issuance and return of keys and electronic card access.

1. The superintendent of the highway patrol shall see to the security of the state capitol building, capitol grounds, and executive mansion. The superintendent shall have control over the issuance and return of keys and electronic card access allowing entry to the exterior doors of the state capitol building. The superintendent shall have control over electronic card access for the interior doors of the state capitol building. Keys to interior doors of the state capitol building must be controlled by individual agency heads and requested through the office of management and budget. The highway patrol shall determine the manner in which keys to the exterior doors of the state capitol building are to be issued and returned and the manner in which electronic card access for interior and exterior doors is granted or removed.
2. The legislative council may issue keys and grant electronic card access for interior doors in areas controlled by the legislative branch.
3. The superintendent may adopt rules and procedures for the immediate lock-down and closure of the capitol building and executive mansion to promote safety during times of emergency.

54-21-18. Office building part of capitol building - Director control of capitol grounds - Parking for pregnant employees and employees with infants - Rules - Penalty.

1. The director of the office of management and budget shall control, manage, and maintain the state office building. The building must be considered a part of the state capitol building within the meaning of statutes relating to the custody, maintenance, and control of the state capitol building and grounds, and within the meaning of statutes requiring state departments or agencies to maintain their offices in the state capitol building.
2. Except as otherwise provided by law, the director of the office of management and budget has charge and control of the executive mansion, the capitol, and the park and public grounds connected therewith. Except as provided by sections 39-10-48, 39-10-50, 44-08-18, and 54-21-17.1, the director may adopt rules to promote the health, safety, and general welfare, to prohibit disturbances and disorderly assemblies, to keep the peace, and to regulate nuisances on the capitol grounds and in any of the buildings located on the capitol grounds. The rules may include regulation of public assemblies and accessibility to the buildings and grounds, obstructions, fees, insurance, forms, indemnification by users, and waiver of insurance and indemnity requirements by the director. A person who violates a rule adopted by the director under this section is guilty of an infraction.
3. The office of management and budget shall provide to a state employee a temporary permit or some other means that allow that employee to park on the capitol grounds in any parking area in which a member of the public is allowed to park, if the state employee is pregnant and employed by a state agency housed on the capitol grounds or if the state employee is allowed by a state agency housed on the capitol grounds to bring an infant to work. This subsection does not authorize a state employee to park in an emergency or fire zone, in parking for the mobility impaired, or in a zone for which

another permit is required. The special parking authorized under this subsection expires when the employee is no longer pregnant or no longer authorized to bring an infant to work.

54-21-19. Director to furnish supplies and maintain capitol, state offices, and executive mansion - Authority to charge for services. (Retroactive application - [See note](#))

The director of the office of management and budget shall provide all necessary fuel, electricity, insurance, janitorial, and other services necessary to maintain the state offices on the capitol grounds as well as all necessary furniture, fuel, electricity, express, freight, drayage, and all other necessary supplies for the executive mansion and the capitol grounds and shall make all necessary repairs. The purchases must be in accordance with chapter 54-44.4. The director shall charge an amount equal to the fair value of the office space and other services rendered to all executive branch agencies, except that for good cause the amounts charged may be waived by the director for a one-year period of time with the waiver subject to further annual renewals after proper application has been filed with the director.

54-21-20. Director authorized to acquire property for capitol park.

Repealed by S.L. 1991, ch. 592, § 47.

54-21-21. School for the deaf land sale.

Omitted.

54-21-22. Disposition of executive mansion.

Omitted.

54-21-23. Executive mansion - Construction - Equipment - Appropriation.

Omitted.

54-21-24. Additional office space may be obtained outside state capitol.

If office space in the state capitol becomes insufficient to accommodate the various state departments, agencies, and boards, the director of the office of management and budget upon request of the department, agency, or board shall negotiate for, contract for, and obtain additional office space outside the state capitol in the city of Bismarck or in the Bismarck area as is necessary in order to provide accommodations for all state departments, agencies, and boards. When office space is obtained in this manner, the department, agency, or board that occupies the office space is deemed to be located at the state capitol for purposes of statutes that require that a department, agency, or board must be maintained at the state capitol, and the director shall charge an amount equal to the fair value of the office space and other services rendered to all departments that receive and expend moneys from other than the general fund, except that for good cause the amounts charged may be waived by the director for a one-year period of time with the waiver being subject to further annual renewals after proper application has been filed with the director. The department, agency, or board for which the office space is sought must approve the office space before the director may finalize a contract or lease for the office space.

54-21-24.1. Lease of additional space by state agencies, departments, offices, officers, boards, and institutions.

A lease or rental agreement or renewal of the lease or rental agreement for the lease or rental of buildings or portions of buildings for use by state agencies, departments, offices, officers, boards, and institutions, other than institutions under the board of higher education, the adjutant general and department of transportation office and storage space for field engineering and maintenance crews, may be entered by the director of the office of management and budget subject to a determination of the legal sufficiency of the lease or rental agreement. To ensure economy, efficiency, and cooperation between the state and its political subdivisions, and to limit the number of locations of state offices for the convenience of individuals traveling to

the offices, the director shall adopt rules governing the lease or rental of additional buildings or portions of the buildings by state agencies, departments, offices, officers, boards, and institutions other than those under the board of higher education, the adjutant general, and department of transportation office and storage space for field engineering and maintenance crews. The department, agency, or board for which the office space is sought must approve the office space before the director may finalize a contract or lease for the office space. A lease or rental agreement entered under this section must include a list of all owners of the leased property, including each individual with an ownership interest in a business or businesses that directly or indirectly own the leased property if the individual's aggregate ownership interest in the leased property is ten percent or more.

54-21-25. Authority to contract with other governmental agencies for prisoners and juvenile delinquents.

Repealed by S.L. 1991, ch. 595, § 3.

54-21-26. Director may lease land to others.

Repealed by S.L. 1991, ch. 595, § 3.

54-21-26.1. Director may sell penitentiary lands.

Repealed by S.L. 1991, ch. 595, § 3.

54-21-27. Removal or sale of unsafe public building - Procedure.

The superintendent of the institution, the warden of the institution, the commanding general of the national guard, or the head of an agency, department, bureau, board, or commission, as the case may be, having the responsibility of supervising and maintaining a public building belonging to the state of North Dakota, may sell or remove such building whenever it is found to be obsolete, a fire hazard, in unsafe condition so as to constitute a hazard to life or limb, and is of no future use to the state where it is located, by obtaining the written approval of the state director of the office of management and budget if under the director's supervision or the head of the department having supervision and the state fire marshal.

Economics shall dictate whether or not the sale or removal shall be by advertising for public bids and awarding same to the lowest responsible bidder. If the building is to be destroyed, every effort must be made to salvage and store any material which will be beneficial to the state or which will have a salable value.

54-21-28. Space utilization studies - Office space allocation.

The director of the office of management and budget shall:

1. Conduct a periodic comprehensive space utilization study of all executive branch staff located within the facilities on the capitol grounds.
2. Develop a space allocation and design policy which will consider space equalization and maximize the effective use of public facilities in a cost-effective manner.
3. Allocate and assign office space, based upon space utilization studies and the established policies, guidelines, standards, and procedures, to all executive branch staff housed and working in facilities on the capitol grounds.
4. Include in developing standards and criteria to be used in making space allocations, considerations regarding equipment; work stations; private offices; conference rooms; reception areas; vaults; necessary arrangements of dividers, doors, and walls to increase adequate air circulation; telephones; lighting; and heating in the utilization of available space.
5. Be consulted, and the director's approval obtained, before any change is made within any assigned and allocated space, and before any structural alteration is made.

54-21-29. Contract for services - Property management.

A property management business that enters a contract to provide services to a state entity with an office located on state property or leased property used by a state entity under this

chapter shall include a list of all the owners of the business providing the service, including each individual with an ownership interest in a business that directly or indirectly owns the business if the individual's aggregate ownership interest in the business is ten percent or more.