

Introduced by

Legislative Management

(Government Services Committee)

1 A BILL for an Act to create and enact a new section to chapter 54-35 of the North Dakota  
2 Century Code, relating to a facility review committee; and to amend and reenact section  
3 48-10-03 of the North Dakota Century Code, relating to the power and duties of the capitol  
4 grounds planning commission.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Section 48-10-03 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8 **48-10-03. Powers and duties of the commission - Authority to accept gifts -**  
9 **Continuing appropriation.**

10 The capitol grounds planning commission shall confer with the state council on the arts with  
11 respect to the artistic value of monuments, memorials, or works of art to be constructed on the  
12 capitol grounds and with qualified consultants retained by it to select sites for buildings,  
13 facilities, monuments, memorials, or works of art to be constructed on the capitol grounds. The  
14 commission shall develop and modify long-term plans for the development of the capitol  
15 grounds. The commission shall approve or disapprove the basic style ~~and~~ exterior construction,  
16 and physical and aesthetic features of the public interior areas of any building, facility,  
17 monument, memorial, or work of art constructed on the capitol grounds. Except as otherwise  
18 provided by this section, the commission has exclusive authority to accept or reject gifts of any  
19 type or class of property for exterior placement on the capitol grounds or for the improvement of  
20 the exterior construction of any building or facility on the capitol grounds, including landscaping  
21 and improvements to the capitol grounds. Any gifts of money accepted pursuant to this section  
22 must be deposited in the capitol building fund and are appropriated on a continuing basis to the  
23 commission for purposes consistent with this section. No construction or placement of an item  
24 on the capitol grounds may be undertaken without the approval of the commission, unless the

1 construction or placement is authorized by the legislative assembly. If the legislative assembly  
2 by law or resolution authorizes the construction or placement of an item on the capitol grounds,  
3 the commission shall approve the site, basic style, and exterior construction of the item within a  
4 reasonable period of time.

5 The commission shall advise the director of the office of management and budget and the  
6 legislative council on matters relating to the physical and aesthetic features of the non-public  
7 interior areas of all buildings on the capitol grounds. The commission must be called in and shall  
8 meet whenever major interior changes, including new construction, remodeling, or renovation of  
9 any kind, are proposed or considered for the buildings or facilities on the capitol grounds. The  
10 commission must be consulted before the purchase or installation of furniture or fixtures in  
11 public areas of the capitol and other buildings on the capitol grounds. The commission shall  
12 perform any other duties as may be prescribed by law.

13 **SECTION 2.** A new section to chapter 54-35 of the North Dakota Century Code is created  
14 and enacted as follows:

15 **Facility construction committee - Powers and duties.**

16 1. The legislative management, during each biennium, shall appoint a facility  
17 construction committee in the same manner as the legislative management appoints  
18 other interim committees. The legislative management shall appoint seven members  
19 of the house of representatives, at least one of whom must represent the minority  
20 faction of the house of representatives, and six members of the senate, at least one of  
21 whom must represent the minority faction of the senate, to the committee.

22 Appointment to the committee is for a term of two years at the discretion of the  
23 legislative management. The legislative management shall designate the chairman of  
24 the committee. The committee shall operate according to the statutes and procedure  
25 governing the operation of other legislative management interim committees.

26 2. The committee shall study and review construction projects impacting facilities,  
27 including owned and leased facilities, from which the state operates, excluding  
28 facilities operated by entities under the control of the state board of higher education,  
29 for the purpose of:

30 a. Ensuring efficient and effective use of state resources in compliance with law and  
31 legislative intent;

- 1            b. Providing the legislative assembly with formal, objective information regarding  
2            state facilities and facility construction projects for the basis of legislative action;  
3            and  
4            c. Providing legislative input to state agencies regarding any proposal for a new,  
5            expanded, or renovated facility.
- 6            3. A state agency, excluding entities under the control of the state board of higher  
7            education, shall inform the legislative council prior to issuing an invitation for architect,  
8            engineer, construction management, or land surveying services under section  
9            54-44.7-03 for the purpose of constructing a new facility or a renovation or addition to  
10           an existing facility.
- 11           4. A state agency, excluding entities under the control of the state board of higher  
12           education, shall inform the legislative council prior to entering into any agreement for  
13           the construction or renovation of a facility leased or to be leased by the state agency.
- 14           5. The committee may call on personnel from state agencies to furnish such information  
15           as the committee may request.
- 16           6. The committee may advise the director of the office of management and budget and  
17           state agencies on matters relating to location, design, and estimated costs for facility  
18           construction and renovation projects.
- 19           7. The committee shall meet at least once each calendar quarter upon the call of the  
20           chairman.
- 21           8. The committee shall report the findings and recommendations of the committee to the  
22           capitol grounds planning commission regarding its review of the construction of a new  
23           facility or renovation or addition to an existing facility located on the capitol grounds.
- 24           9. The committee shall report the findings and recommendations of the committee, along  
25           with any necessary legislation, to the legislative management and to the legislative  
26           assembly.