

2021 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1249

2021 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Pioneer Room, State Capitol

HB 1249
2/11/2021

Provide for the design of a legislative wing of the state capitol; provide an appropriation to the OMB for the design, construction, and furnishing of the legislative wing; and to provide for a transfer

Chairman Kasper opened the hearing at 2:55 p.m.

Representatives	Roll Call
Representative Jim Kasper	P
Representative Ben Koppelman	P
Representative Pamela Anderson	P
Representative Jeff A. Hoverson	P
Representative Karen Karls	P
Representative Scott Louser	P
Representative Jeffery J. Magrum	P
Representative Mitch Ostlie	P
Representative Karen M. Rohr	P
Representative Austen Schauer	P
Representative Mary Schneider	P
Representative Vicky Steiner	P
Representative Greg Stemen	P
Representative Steve Vetter	P

Discussion Topics:

- Capitol legislative wing expansion
- Construction of new wing

Rep. B. Koppelman introduced and testified in favor, #6455

Carel Two Eagle testified in favor.

John Boyle, Division Director, Facility Management Division, OMB, testified in a neutral position.

John Bjornson, Legislative Council, appeared to answer any questions.

Additional written testimony: #6334

Chairman Kasper closed hearing at 3.42 p.m.

Carmen Hart, Committee Clerk

Koppelman, Ben

From: Bjornson, John D.
Sent: Wednesday, February 10, 2021 5:33 PM
To: Koppelman, Ben
Subject: questions on legislative wing

Representative Koppelman,

I am gathering the information you requested regarding legislative space in the Capitol. I will follow up tomorrow with sq. footage estimates for space used by the Legislative Branch. But, I believe the Legislative Council office is currently using about 11,500 sq. ft, which likely will need to increase some during the next biennium if the proposal to transfer some IT personnel from ITD to our office goes forward (the Senate Appropriations Committee has amended the Legislative Branch bill to increase our IT staff by 8 positions).

I have asked Facilities for sq. footage of the other rooms we are using. I suspect we are occupying over 10,000 sq. feet in the J-wing this session.

We have spent nearly \$3 million of CARES funding in response to COVID. Over \$700,000 was for replacement of the chamber voting boards. Most of the remaining funds were related to IT upgrades, including the audio/visual upgrades and costs for streaming the video. The cost of constructing the 4 new committee rooms, exclusive of the audio/visual costs, is likely going to be in the \$150,000 to \$200,000 range.

In calculating the \$40 million total, we went with an assumption of moving all legislative operations, other than the chambers, to the new structure which would be located where the legislative parking lot now exists. There had been prior discussions regarding a structure there to include underground parking, so we used that as a starting point. We looked at 80,000 sq. feet of space plus the cost of furnishing the building. We used \$400 per sq. foot as an estimate for the construction.

There could be 2 levels of underground parking which could provide 200-250 parking spots which potentially could connect by tunnel to the existing structure. The ground floor could be used for committee rooms which would include some large hearing rooms and all rooms having added safety with multiple exits. The committee rooms could be similar in size to the rooms constructed in the J-wing.

The second level could be used for secure legislator office space and be connected to Legislative Hall by a skywalk (this could accommodate leaving a driveway between the new structure and the existing structure to allow traffic to move between the north and south sides of the Capitol).

The third level could be used to move the LC staff and include space to move in IT equipment such as servers for which we currently pay rent to ITD.

If individual legislator offices were replaced with large "studies" for each chamber with a small number of offices, maybe for committee chairmen, and a reduction in the LC space, I would think one floor could be eliminated.

In some of the informal discussions I had with John Boyle, I inquired whether other agencies could be moved into space if the Legislative Branch vacates current meeting rooms and the LC office space. He indicated there are several agencies that could move from off campus rental space. For example some of the rooms in the horseshoe could house some small one or two person entities. I suspect there could be efficiencies where some of those entities could share personnel.

John

John Bjornson
Director
North Dakota Legislative Council
600 East Boulevard Avenue

HB 1249

CHAPTER 48-10

CAPITOL GROUNDS PLANNING COMMISSION

48-10-01. Capitol grounds planning commission.

The capitol grounds planning commission consists of the lieutenant governor as chairman and eight other members selected biennially as provided in this section. The governor shall appoint two citizens, one licensed architect, and one representative from the state historical society as members, the president of the senate shall appoint two senators as members, and the speaker of the house of representatives shall appoint two representatives as members. Appointment to the commission is for a term of two years. Legislative and citizen members of the planning commission are entitled to per diem payments and expenses in such amount and in the same manner as provided by law for members of the legislative management.

48-10-02. Capitol building fund to be administered by the capitol grounds planning commission - Continuing appropriation - Procedure for expenditure of certain funds.

The capitol grounds planning commission shall have general powers to superintend the administration of the capitol building fund, its interest and income fund, and its investments and properties. It may cause any lands now held in such funds to be sold at market value, direct the conversion of any securities now held by such funds to cash, approve expenditures from such funds subject to law and legislative appropriations, and to do all other things necessary to carry out the intent and purposes of this section. The board of university and school lands or its designee, on the commission's behalf, shall see to the investment and management of the capitol building fund and its interest and income fund and shall account to the commission concerning these funds at the commission's request.

Provided further, all moneys and other property in the capitol building fund, except as otherwise appropriated, are hereby dedicated and reserved to the exclusive purpose of the construction of an addition to the legislative wing of the state capitol building, and the capitol grounds planning commission shall take necessary steps to accumulate and conserve the money and property in the capitol building fund for such purpose.

The commission may, during any biennium, expend from the interest and income fund of the capitol building fund a sum not to exceed fifty percent of the unencumbered balance on the first day of any biennium, and such amount is hereby appropriated to the capitol grounds planning commission. The expenditure may be made, after consideration of the capitol grounds master plan, for projects or planning but may not exceed two hundred fifty thousand dollars per biennium. The expenditure may only be made upon approval by two-thirds of the total membership of the commission. The expenditure must be made upon a voucher, or vouchers, prepared by the office of management and budget at the direction of the commission.

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

The capitol grounds planning commission shall confer with the state council on the arts with respect to the artistic value of monuments, memorials, or works of art to be constructed on the capitol grounds and with qualified consultants retained by it to select sites for buildings, facilities, monuments, memorials, or works of art to be constructed on the capitol grounds. The commission shall develop and modify long-term plans for the development of the capitol grounds. The commission shall approve or disapprove the basic style and exterior construction of any building, facility, monument, memorial, or work of art constructed on the capitol grounds. Except as otherwise provided by this section, the commission has exclusive authority to accept or reject gifts of any type or class of property for exterior placement on the capitol grounds or for the improvement of the exterior construction of any building or facility on the capitol grounds, including landscaping and improvements to the capitol grounds. Any gifts of money accepted pursuant to this section must be deposited in the capitol building fund and are appropriated on a continuing basis to the commission for purposes consistent with this section. No construction or placement of an item on the capitol grounds may be undertaken without the approval of the commission, unless the construction or placement is authorized by the legislative assembly. If

Koppelman, Ben

From: Bjornson, John D.
Sent: Thursday, February 11, 2021 11:06 AM
To: Koppelman, Ben
Subject: HB 1249
Attachments: Space for LC and Legislature.xlsx

Good morning,

Attached is a spreadsheet listing the size of space used by the Legislative branch.

As I mentioned yesterday, the main portion of the Legislative Council office is over 11,000 sq. ft. That space shows up in various entries on the spreadsheet because portions of the office are separated. When all the areas we use are taken into account, it appears we are currently using at least 13,000 sq. feet.

The 3 new rooms on the 3rd floor of the J-wing are all over 2000 sq. feet. The room on the 2nd floor of the J-wing used by 2 Senate committees is nearly 1900 sq. feet. As the spreadsheet indicates, we are using 14,000 sq. feet in the J-wing. However, the only room in the J-wing we consider to be our space is the Pioneer Room. The Coteau rooms and Shyenenne River Room belong to the Judicial branch, except during sessions. The executive branch is under the assumption we will be returning the other remodeled space back after the session.

Mr. Boyle included the square footage of the office space we are using on the 18th and 14th floors as well when we calculated Capitol tower space currently being used by us.

I think Boyle mentioned this to you, but in case not – NDCC 48-10-02 provides money in the capitol building fund is “except as otherwise appropriated, are hereby dedicated and reserved to the exclusive purpose of the construction of an addition to the legislative wing of the state capitol building, and the capitol grounds planning commission shall take necessary steps to accumulate and conserve the money and property in the capitol building fund for such purpose.” <https://www.legis.nd.gov/cencode/t48c10.pdf#nameddest=48-10-01>

John

John Bjornson
Director
North Dakota Legislative Council
600 East Boulevard Avenue
Bismarck, ND 58505
701-328-2916

JWing

Bldg	Floor	Room	Sqft
JW	3	327B	2170
JW	3	327C	2158
JW	3	327E	2052
JW	2	216	1875
JW	2	Legislative Offices	879
JW	1	Coteau A	889
JW	1	Coteau B	1093
JW	1	Sheyenne River Room	636
JW	G	Pioneer Room	2314

14066

Tower

Bldg	Floor	Room	Sqft
Tower	18	Legislative Offices	3408
Tower	14	Legislative Offices	1658
Tower	2	Legislative Offices	8578
Tower	2	Prairie Room	1210
Tower	G	Harvest Room	1168
Tower	G	Red River Room	646
Tower	G	Sakakawea Room	749
Tower	G	Rough Rider Room	1545

18962

Legislative Wing

Bldg	Floor	Room	Sqft
LW	3	Legislative IT Offices	1851
LW	2	House Conference Room	647
LW	2	Leg Coun Legal(old library)	1811
LW	2	Law Library	1349
LW	2	Clerk Offices	2247
LW	2	SW House Offices	720
LW	1	East Senate Restroom	127
LW	1	Legislative Supply Room	165
LW	1	Senate Conference Room	420
LW	1	Senate Maj/Min Middle	142
LW	1	Senate Majority Offices	535
LW	1	Senate Minority Offices	533
LW	1	Senate West Restroom	76
LW	1	Sec of Senate	132
LW	1	Senate Lounge	612
LW	1	Minority Office/Restroom	650
LW	1	Majority Office/Restroom	702
LW	G	Doctor of Day	150
LW	G	Legislative Study	745
LW	G	Roosevelt Park Room	579
LW	G	Ft Union Room	749
LW	G	Peace Garden Room	780
LW	G	Fort Totten Room	778
LW	G	Press Room	702
LW	G	Medora Room	840
LW	G	Bill and Journal Room	377
LW	G	Fort Lincoln Room	665
LW	G	Press Studio	509
LW	G	Brynhild Haugland Room	4215
LW	G	Coat Room	234
LW	G	Missouri River Restroom	932
LW	G	House Locker Room	561
LW	G	Missouri River Room	625
LW	G	Senate Locker Room	247
LW	G	Senate Womens Restroom	509
LW	G	Common Space	4120

31036

(excludes chambers)

Written testimony on House Bill 1249

Chairman Kasper and Government and Veterans Committee Members

My name is Kevin Herrmann from Beulah, ND. I am a lifelong citizen of North Dakota.

I am opposed to House Bill 1249. I have been in the legislative wing for committee hearings and legislative floor sessions. I see no issues in the legislative wing. Why waste money on a building that is still in very good condition? I see the public wouldn't have any problem if there is a need of any remodeling job but this bill as I read it is more than remodeling.

Why does the members of the legislative assembly need special parking area?

House Bill 1249 could have potential wasteful spending in how an individual interprets the wording in this bill.

I am asking to give House Bill 1249 a DO NOT PASS recommendation.

Kevin Herrmann
300 Fair St. SW
Beulah, ND 58523
701-873-4163

2021 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Pioneer Room, State Capitol

HB 1249
2/18/2021

Provide for the design of a legislative wing of the state capitol; provide an approp. to the OMB for the design, construction, and furnishing of the legislative wing; and to provide for a transfer

Chairman Kasper opened the committee work meeting at 11:04 a.m.

Representatives	Roll Call
Representative Jim Kasper	P
Representative Ben Koppelman	P
Representative Pamela Anderson	P
Representative Jeff A. Hoverson	P
Representative Karen Karls	P
Representative Scott Louser	P
Representative Jeffery J. Magrum	P
Representative Mitch Ostlie	P
Representative Karen M. Rohr	P
Representative Austen Schauer	P
Representative Mary Schneider	P
Representative Vicky Steiner	P
Representative Greg Stemen	P
Representative Steve Vetter	A

Discussion Topics:

- Legislative wing study

Rep. Steiner moved to **adopt Rep. B. Koppelman's amendment .02001, #6954.** **Rep. Rohr** seconded the motion. **Voice vote. Motion carries.**

Rep. Schauer moved **Do Pass as amended.** **Rep. Steiner** seconded the motion.

Representatives	Vote
Representative Jim Kasper	Y
Representative Ben Koppelman	Y
Representative Pamela Anderson	Y
Representative Jeff A. Hoverson	Y
Representative Karen Karls	Y
Representative Scott Louser	Y
Representative Jeffery J. Magrum	Y
Representative Mitch Ostlie	Y
Representative Karen M. Rohr	Y
Representative Austen Schauer	Y
Representative Mary Schneider	Y
Representative Vicky Steiner	Y
Representative Greg Stemen	Y

Representative Steve Vetter	A
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Motion passes. 13-0-1. **Rep. Schauer** is the carrier.

Chairman Kasper ended at 11:11 a.m.

Carmen Hart, Committee Clerk


2/18/21

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1249

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of the building space needs of the legislative branch.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - LEGISLATIVE BRANCH BUILDING SPACE NEEDS. During the 2021-22 interim, the legislative management shall consider studying the building space needs of the legislative branch for purposes of considering whether an expansion or renovation of the space available to the legislative branch is necessary to serve the public and meet the needs of the legislative branch. The study must include consideration of whether adequately sized committee rooms, appropriate accommodations under the federal Americans with Disabilities Act, and flexible meeting areas are available, and will continue to be available, to the legislative branch, and the impact on the space needs from a potential expansion of the information technology division of the legislative council. The legislative management may consult with third-party consultants for this study. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations to the sixty-eighth legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1249: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1249 was placed on the Sixth order on the calendar.

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Renumber accordingly

21.0254.02001
Title.

Prepared by the Legislative Council staff for
Representative B. Koppelman
February 15, 2021

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2021 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1249

2021 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Room JW216, State Capitol

HB 1249
4/1/2021

To provide for a legislative management study of the building space needs of the legislative branch.

Chair Vedaa opened the hearing at 8:30 AM with Sen Vedaa, Meyer, Elkin, K Roers, Weber, Wobbema, and Marcellais present.

Discussion Topics:

- Committee rooms
- Social distancing
- Legislature and staff illnesses
- Safety exits
- Handicapped accessibilities
- Project costs
- Federal funds
- Restroom facilities
- Building addition

Rep B. Koppelman introduced the bill #11266

Additional written testimony: NONE

Adjourned at 8:59 AM

Pam Dever, Committee Clerk

Koppelman, Ben

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Sent: Wednesday, February 10, 2021 5:33 PM
To: Koppelman, Ben
Subject: questions on legislative wing

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CHAPTER 48-10 CAPITOL GROUNDS PLANNING COMMISSION

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

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

Koppelman, Ben

From: Bjornson, John D.
Sent: Thursday, February 11, 2021 11:06 AM
To: Koppelman, Ben
Subject: HB 1249
Attachments: Space for LC and Legislature.xlsx

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John

John Bjornson
Director
North Dakota Legislative Council
600 East Boulevard Avenue
Bismarck, ND 58505
701-328-2916

2021 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Room JW216, State Capitol

HB 1249
4/8/2021

To provide for a legislative management study of the building space needs of the legislative branch.

Chair Vedaa opened the hearing at 11:00 AM with Sen Vedaa, Meyer, Elkin, K Roers, Weber, Wobbema, and Marcellais present.

Discussion Topics:

- Committee Work

Senator Meyer moved DO PASS

Senator Wobbema seconds

Roll Call Vote: 7 -- YES 0 -- NO -0-ab Motion Passed

Senators	Vote
Senator Shawn Vedaa	Y
Senator Scott Meyer	Y
Senator Jay R. Elkin	Y
Senator Richard Marcellais	Y
Senator Kristin Roers	Y
Senator Mark F. Webber	Y
Senator Michael A. Wobbema	Y

Sen Meyer will carry the bill

Adjourned at 11:03 AM

Pam Dever, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1249, as engrossed: **Government and Veterans Affairs Committee (Sen. Vedaa, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1249 was placed on the Fourteenth order on the calendar.