

2023 HOUSE JUDICIARY

HCR 3025

2023 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

HCR 3025
3/8/2023

A concurrent resolution directing the Legislative Management to consider studying the feasibility and desirability of renovating and constructing an addition to the Liberty Memorial Building or constructing a new building on the grounds of the state Capitol to serve as a new Supreme Court building.

10:30 AM Vice Chairman Karls opened the hearing. Members present: Chairman Klemin, Vice Chairman Karls, Rep. Bahl, Rep. Christensen, Rep. Cory, Rep. Henderson, Rep. Rios, Rep. Satrom, Rep. Schneider, Rep. VanWinkle, and Rep. Vetter. Absent: Rep. S. Olson and Rep. Roers Jones.

Discussion Topics:

- Interim study request.
- Amendment

Rep. Klemin: Introduced the bill. Testimony #22679, #22678

John Justin: Chief Justice of the Supreme Court: No written testimony.

Hearing closed at 10:38 AM.

Rep. Christensen moved amendment 23.3090.01001
Seconded by Rep. Satrom

Representatives	Vote
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y
Representative Landon Bahl	Y
Representative Cole Christensen	Y
Representative Claire Cory	Y
Representative Donna Henderson	Y
Representative SuAnn Olson	A
Representative Nico Rios	Y
Representative Shannon Roers Jones	A
Representative Bernie Satrom	Y
Representative Mary Schneider	Y
Representative Lori VanWinkle	Y
Representative Steve Vetter	Y

Roll call vote: 11 Yes 0 No 2 Absent; Motion carried

Rep. Christensen moved a Do Pass as Amended;
Seconded by Rep. Bahl.

Representatives	Vote
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y
Representative Landon Bahl	Y
Representative Cole Christensen	Y
Representative Claire Cory	Y
Representative Donna Henderson	Y
Representative SuAnn Olson	A
Representative Nico Rios	Y
Representative Shannon Roers Jones	A
Representative Bernie Satrom	Y
Representative Mary Schneider	Y
Representative Lori VanWinkle	Y
Representative Steve Vetter	Y

Roll call vote: 11 Yes 0 No 2 Absent Motion carried.
Carrier: Rep. Christensen

Additional written testimony:

Mary Soucie, State Librarian, ND State Library. Testimony #21399

Andrew Varvel, State Library: Testimony #22434

The meeting closed at 10:41 AM.

Delores Shimek, Committee Clerk

BR
171
3-8-23

PROPOSED AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3025

Page 1, after line 23, insert:

"**BE IT FURTHER RESOLVED**, the study consider the feasibility and desirability of relocating the State Library or constructing a new building on the grounds of the State Capitol for the State Library, and the relocation of other agencies occupying the Liberty Memorial Building; and"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3025: Judiciary Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3025 was placed on the Sixth order on the calendar.

Page 1, after line 23, insert:

"BE IT FURTHER RESOLVED, the study consider the feasibility and desirability of relocating the State Library or constructing a new building on the grounds of the State Capitol for the State Library, and the relocation of other agencies occupying the Liberty Memorial Building; and"

Renumber accordingly

2023 SENATE WORKFORCE DEVELOPMENT

HCR 3025

2023 SENATE STANDING COMMITTEE MINUTES

Workforce Development Committee Fort Lincoln Room, State Capitol

HCR 3025
3/23/2023

A concurrent resolution directing the Legislative Management to consider studying the feasibility and desirability of renovating and constructing an addition to the Liberty Memorial Building or constructing a new building on the grounds of the state Capitol to serve as a new Supreme Court building.

10:06 AM **Chairman Wobbema** called the hearing to order. **Senators Wobbema, Axtman, Elkin, Larson, Sickler, Piepkorn** were present.

Discussion Topics:

- Feasibility study
- Analysis
- Renovating
- New building

10:07 AM **Representative Klemin** introduced HCR 3025 and testified in favor. #26404

10:11 AM **Sally Holewa, State Court Administrator, North Dakota Supreme Court,** verbal testified in favor.

10:12 AM **Mary Soucie, State Librarian, North Dakota State Library,** testified neutrally. #26440

Senator Axtman moved DO PASS.
Senator Sickler seconded the motion.

Roll call vote.

Senators	Vote
Senator Michael A. Wobbema	Y
Senator Michelle Axtman	Y
Senator Jay Elkin	Y
Senator Diane Larson	Y
Senator Merrill Piepkorn	Y
Senator Jonathan Sickler	Y

Motion passed 6-0-0.

Senator Piepkorn will carry HCR 3025.

10:18 AM **Chairman Wobbema** closed the hearing.

Patricia Lahr, Committee Clerk

REPORT OF STANDING COMMITTEE

HCR 3025, as engrossed: Workforce Development Committee (Sen. Wobbema, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3025 was placed on the Fourteenth order on the calendar. This resolution does not affect workforce development.

TESTIMONY

HCR 3025



**TESTIMONY ON HCR3025
HOUSE JUDICIARY COMMITTEE**

March 1, 2023

**By: Mary J. Soucie, State Librarian
North Dakota State Library**

Dear Chairman Klemin and Members of the Committee,

For the record, I am State Librarian Mary Soucie, and I am testifying neutrally on House Concurrent Resolution 3025. The North Dakota State Library has over 301,000 physical items in our collection. We have occupied the Liberty Memorial Building for 87 of the 99 years it has existed. We request that the resolution be amended to add that the current occupants of the Liberty Memorial Building be included in the discussions on the future use of the building to ensure that plans are made for our relocation should the determination be made that the best use of the building is to return the Judicial Branch to the Liberty Memorial building.

Thank you for your time today. I am happy to answer any questions.

House Judiciary Committee
House Concurrent Resolution 3025

Andrew Alexis Varvel

North Dakota State Capitol

March 8, 2023

Room 327B

10:30AM

Chairman Klemin and Members of the Committee:

As a regular patron of the State Library, I would like to echo the State Librarian's concerns. The State Library is an important institution which requires space for what it does, so I would like to know where it will be.

It may interest you that, among other things, the North Dakota State Library contains North Dakota's best collection of the musical works of P. D. Q. Bach. His compositions have been discovered by "Professor" Peter Schickele, who grew up in Fargo and probably deserves to be put into the Roughrider Hall of Fame for his work in popularizing North Dakota to a broader audience. In particular, it is doubtful that anybody would have heard of the University of Southern North Dakota at Hoople were it not for his herculean efforts.

On an architectural note, I do hope that any new building which gets built next to the Liberty Memorial Building would contain architectural and decorative elements which harmonize with the existing architecture nearby.

Thank you.

Andrew Alexis Varvel
2630 Commons Avenue
Bismarck, ND 58503
701-255-6639
mr.a.alexis.varvel@gmail.com

23.3090.01001

Sixty-eighth
Legislative Assembly
of North Dakota

HOUSE CONCURRENT RESOLUTION NO. 3025

Introduced by

Representatives Klemin, Hanson, Lefor, Roers Jones, Schneider, Vigesaa
Senators Bekkedahl, Dwyer, Hogue, Larson

1 A concurrent resolution directing the Legislative Management to consider studying the feasibility
2 and desirability of renovating and constructing an addition to the Liberty Memorial Building or
3 constructing a new building on the grounds of the state Capitol to serve as a new Supreme
4 Court building.

5 **WHEREAS**, the idea of housing the Supreme Court in a stand-alone building is not a new
6 concept; and

7 **WHEREAS**, since at least 1924, the plans for the Capitol grounds included a separate
8 "Temple of Justice" that would mirror the architectural design of the Liberty Memorial Building;
9 and

10 **WHEREAS**, as a result of the Supreme Court's expanding space needs, in 2015, then-
11 Governor Jack Dalrymple proposed appropriating \$40 million to repurpose the Liberty Memorial
12 Building into a Supreme Court building; and

13 **WHEREAS**, the 2015 proposal did not advance due to the rapid downturn in the economy
14 which occurred at that time; and

15 **WHEREAS**, locating the Supreme Court in the Liberty Memorial Building would be a
16 homecoming for the Court;

17 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF**
18 **NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

19 That the Legislative Management consider studying the feasibility and desirability of
20 renovating and constructing an addition to the Liberty Memorial Building or constructing a new
21 building on the grounds of the state Capitol to serve as a new Supreme Court building; and

22 **BE IT FURTHER RESOLVED**, the study include input from the Supreme Court and the
23 Office of Management and Budget; and

24 **BE IT FURTHER RESOLVED**, the study consider the feasibility and desirability of
25 relocating the State Library or constructing a new building on the grounds of the State Capitol

1 for the State Library, and the relocation of other agencies occupying the Liberty Memorial
2 Building; and

3 **BE IT FURTHER RESOLVED**, that the Legislative Management report its findings and
4 recommendations, together with any legislation required to implement the recommendations, to
5 the Sixty-ninth Legislative Assembly.

23.3090.01001
Title.

Prepared by the Legislative Council staff for
Representative Klemin
March 7, 2023

PROPOSED AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3025

Page 1, after line 23, insert:

"BE IT FURTHER RESOLVED, the study consider the feasibility and desirability of relocating the State Library or constructing a new building on the grounds of the State Capitol for the State Library, and the relocation of other agencies occupying the Liberty Memorial Building; and"

Renumber accordingly



North Dakota House of Representatives

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Lawrence R. Klemin

District 47
3929 Valley Drive
Bismarck, ND 58503-1729

lklemin@ndlegis.gov

COMMITTEES:

Judiciary, Chairman
Political Subdivisions

TESTIMONY OF LAWRENCE R. KLEMIN HOUSE CONCURRENT RESOLUTION NO. 3025 SENATE WORKFORCE DEVELOPMENT COMMITTEE MARCH 23, 2023

Mr. Chairman and members of the Committee. I am Lawrence R. Klemin, Representative from District 47 in Bismarck. I am here today to testify in support of HCR 3025, which is a resolution directing Legislative Management to consider studying the feasibility and desirability of renovating the Liberty Memorial Building or constructing a new building on the Capitol grounds to serve as a new Supreme Court building.

The process for this resolution began as HB 1397, a bill for an appropriation to the Office of Management and Budget of \$55,000,000 for a new Supreme Court building. HB 1397 provided that OMB would procure architect and engineering services for the design of a Supreme Court building. After the design was approved, a project manager would be hired, construction contracts would be entered into, and construction would begin. The intention was to either remodel the Liberty Memorial Building and construct an addition on this building, or in the alternative, to construct an entirely new building on the Capitol grounds.

A space needs analysis had been done in 2014 by JLG Architects which concluded that the Supreme Court needed 53,392 square feet. As a result of the economic downturn in 2015, that project was never continued. The Supreme Court currently occupies 28,654 square feet of space in the Judicial Wing of the Capitol Building and is in need of more space for a courtroom, court chambers, offices, law library, and other space.

The House Judiciary Committee had recommended that the appropriation of \$55,000,000 be approved. However, the House Appropriations Committee determined that there was not enough information available at this time for approval of the construction project, so HB 1397 failed to pass the House. This resulted in the introduction of HCR 3025, which you have before you today.

During the next interim between the Sessions, the project for the Supreme Court building could be studied to obtain all of the information needed to present a

construction proposal to the 2025 Legislative Assembly. The Liberty Memorial Building is currently occupied by the State Library and the ND Parks and Recreation Department. Consequently, the study would also include a review of alternatives for the relocation of those two agencies. It might be concluded that a new building would be needed for the State Library if the Liberty Memorial Building is to be remodeled for the Supreme Court. Or it might be concluded that the Supreme Court should have an entirely new building constructed for its use somewhere on the Capitol grounds.

The study would include input from the Supreme Court, OMB, the State Library, ND Parks and Recreation, and the public through the interim committee process. If the Supreme Court does relocate to other space, this would free up the space in the Judicial Wing that it currently occupies, which could be used by the Legislature and other agencies.

Members of the Committee, I urge you to approve the interim study proposed in HCR 3025.

Rep. Lawrence R. Klemin



**TESTIMONY ON HCR3025
WORKFORCE DEVELOPMENT COMMITTEE
March 23, 2023
By: Mary J. Soucie, State Librarian
North Dakota State Library**

Dear Chairman Wobbema and Members of the Committee,

For the record, I am State Librarian Mary Soucie, and I am testifying neutrally on House Concurrent Resolution 3025. The North Dakota State Library (NDSL) has occupied the Liberty Memorial Building for 87 of the 99 years it has existed. The State Library serves state employees as well as the library community and all North Dakota citizens. We appreciate the opportunity to participate in the study to determine the future use of the Liberty Memorial Building and location of the State Library collections and staff.

Thank you for your time today. I am happy to answer any questions.