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Yolanda Richardson  
Operator's Signature

10/6/03  
Date

2003 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1451

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Julie Costa Richardson  
Operator's Signature

10/16/03  
Date

STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1451

House Government and Veterans Affairs Committee

Conference Committee

Hearing Date 2-07-03

Tape Number	Side A	Side B	Meter #
1		x	15.8-end
2	x		0-11.0
Committee Clerk Signature <i>Joseph Burke</i>			

Minutes: Chairman Klein: called the meeting to order. All committee members were present.

Representative Grande: testified in favor of HB 1451 and also was a sponsor. The Capitol entrance has been closed since 9-11-01. There are barriers in place in the tunnel entrance.

The Capitol is a big part of tourism in the state, we would like to see an entrance put in place that would welcome the community and visitors to the state.

Because it is on state property we would have to put it out on bids. It is in code already and we were looking for this one kind of exemption to it, so we could get the public's input.

Don Barsness, Citizen at large, Architect: testified in favor of HB 1451. In the year 2000 the commission hired a firm to update the capitol grounds master plan. The original plan was done in the 1960's and was far outdated. Part of the recommendations is the vehicular drive thru. The tunnel becoming closed came about before 9-11-01. Part of the response to the Oklahoma situation that came about. Anyway that was to be closed and be only a pedestrian access, and also the circular drive be moved closer to the front steps. The commission has been discussing

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this for some time and want to move forward in doing something about that particular part.

There are considerable number of recommendations in the report itself. Competitions have specific formats and also the state refers to retaining professional services based on qualifications and criteria, and how to go about that. Once the submittals and interviews are done on the committee, they rank the top 3 contacted for the actual commission. At that point they are to negotiate with the number one rank or go forward with the project, if we want to do a competition there is a complication there obviously. So what the bill is attempting to address is that how the final selection is being made, what we are suggesting is that the final 3 that are ranked in the submittal by the jury that they would be allowed to compete in the competition.

Representative Klein: the committee is the planning commission?

Don Barsness: yes, or whoever we would designate. They would then allow these 3 firms a solution for the project. During the competition or the design stages, public hearings would be held for those in the design process to hear the wishes of the people of the state. Once the submittals are turned in and the jury has decided which ones they like best, they would rank those as one, two and three. The second and third would receive a small cash prize for their work but the first would be given the project to go forward. There are some amendments to the bill being passed out by Representative Grande. I think that covers everything that I want to address.

Representative Klein: are you the architect that put together the long range plan for the capitol grounds?

Don Barsness: no.

Representative Haas: are you saying that the commission would be bound by that public vote on which of the 3 finalists that they like?

Roberta Richardson  
Operator's Signature

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Don Barsness: the intent, is for the state and the commission is to participate in hearings to hear what the desires and wishes of the state or people have.

Then those firms would use those designs they commission, then it would be up to the commission to determine which one of the three solutions did the best job of satisfying them.

Representative Klemin: so we give the second place \$10,000, and the third place \$5,000 and it says in the fiscal note that they budget capitol ground planning commission. Then the one who wins we say that will be determined based on available funds, what if we don't have available funds then and actually build this. It's one thing to design something and I guess its something else to go out and get all the necessaries to do this, so is it possible that we might have the winner actually getting a contract for a design that can't be fulfilled because there are no available funds and we can't build it anyway, it might be better to win second place.

Representative Potter: is there any time frame that we are looking at here it doesn't say in the bill.

Don Barsness: we have estimated sometime in the next 12 months that we would go through the process of developing the program. At least a year.

Jack Dalrymple, Lt. Governor of North Dakota: appeared in favor of HB 1451. I am the chairman of the Capitol Grounds Planning Committee, and I just want to make a couple of comments about this bill. One is that I think it is just an authorization that we would like to have, we don't have any big plan to spend a bunch of money, we have some money of our own, that we can use for what ever we like, perhaps we will do something very modest with the south entrance. But before we can proceed and even come up with some concepts, we want to be sure we could have this competition that we are talking about. And so we are just seeking the

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Jack Dalrymple  
Operator's Signature

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authority, we may have been able to do this anyhow but we want to make sure there are no legal problems with it. I guess one thing we have decided at the commission that we need to do something with the south entrance you can no longer drive thru it. As an entrance to the capitol it doesn't work very well. We need to make it clear where the entrance to the building is and make it clear that the people are invited to come in that direction.

One of the things that we require to whoever will do this is that must do a extensive process of public relations that would include ideas on designs before they build.

John Boyd, Director of Facility Management: appeared in favor of HB 1451 and submitted written testimony prepared by Joe Leopald, State Planner who could not be here today.

Just to make my comments as brief as possible, one of my duties as facility management is to actually implement the approved project by the Capitol Grounds Planning Commission. I think as stated here already that this would be the best and most efficient way to get it through that.

Closed the hearing on HB 1451.

Representative Sitte: made a motion to **AMEND** HB 1415 as presented by Representative Grande.

Representative Meier: **SECOND** the motion to amend.

Representative Kasper: made a motion to **AMEND the AMENDMENTS.**

Representative Haas: **SECOND** the motion to amend the amendments.

Representative Haas: made a **DO PASS as amended** motion on HB 1451.

Representative Meier: **SECOND** the motion.

**VOTE: 13 YES 1 NO 0 ABSENT.**

**Motion Carried.**

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Representative Grande will carry the bill to the floor.

Meeting adjourned.

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Jo Costa Rickford  
Operator's Signature

10/10/03  
Date

**FISCAL NOTE**  
 Requested by Legislative Council  
 04/03/2003

Amendment to: HB 1451

1A. **State fiscal effect:** Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

1B. **County, city, and school district fiscal effect:** Identify the fiscal effect on the appropriate political subdivision.

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2. **Narrative:** Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

3. **State fiscal effect detail:** For information shown under state fiscal effect in 1A, please:

A. **Revenues:** Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

No fiscal impact.

B. **Expenditures:** Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

No fiscal impact.

C. **Appropriations:** Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

Name:	Pam Sharp	Agency:	OMB
Phone Number:	328-4606	Date Prepared:	04/03/2003



