



North Dakota Legislative Council

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June 29, 2009

Mr. John Boyle
Director
Facility Management Division
State Capitol
Bismarck, ND 58505

Dear Mr. Boyle:

This letter is an update to the May 7, 2009, letter regarding jurisdiction over rooms in the legislative wing. North Dakota Century Code Section 48-08-04 provides that legislative space may not be used without authorization of the Legislative Council or its designee. By motion, the Legislative Council has designated me to handle that responsibility.

During the 2009-10 interim, upgrades will continue to be made to legislative committee rooms that will affect availability and usage by the executive branch. New carpeting and committee tables are being purchased and installed in most committee rooms. The Legislative Procedure and Arrangements Committee met on June 23, 2009, and developed a policy regarding the use of these rooms. Enclosed is the approved *Guidelines for Use of Legislative Committee Rooms North Dakota State Capitol*. **The Legislative Procedure and Arrangements Committee stresses that the entity using the room assumes full responsibility for the care of the room, will see that no food is brought into the room, will see that coasters are used if beverages are brought into the room, will not rearrange the furniture in or remove the furniture from the room, and will leave the room in the condition it was in before the planned function.**

Beginning today the Facility Management Division may assume control over the Brynhild Haugland Room, the Roosevelt Park Room, the Lewis and Clark Room, the Sakakawea Room, the Fort Lincoln Room, the Missouri River Room, the Peace Garden Room, the Fort Totten Room, and the Red River Room. The usage will be interrupted as needed for improvements during the 2009-10 interim.

Executive branch agencies wishing to use any space in the legislative wing for office purposes during the interim must get approval from the director of the Legislative Council.

The use of the legislative chambers will be permitted only in accordance with guidelines issued by either the full Legislative Council or the Legislative Procedure and Arrangements Committee.

Permission to use the chambers and committee rooms is subject to cancellation on short notice if a special session is called. The rooms will be needed for a few days prior to and for a few days immediately after any special session.

These arrangements are subject to revisions as circumstances require.

Sincerely,

Jim W. Smith
Director

JWS/AL

Enc.

cc: Representative Al Carlson ✓

GUIDELINES FOR USE OF LEGISLATIVE COMMITTEE ROOMS NORTH DAKOTA STATE CAPITOL

1. The first priority for the use of legislative committee rooms is for the legislative branch of state government, including the Legislative Assembly, the Legislative Council, and any committees, subcommittees, or other entities of the legislative branch.
2. During legislative sessions, the use of legislative committee rooms is governed by Joint Rule 803.
3. When the Legislative Assembly is not in session, the use of committee rooms is governed by North Dakota Century Code Section 48-08-04, and any authorization by the Legislative Council, or its designee, is subject to the following requirements:
 - a. An agency of state government may use committee rooms for official purposes of the agency. A federal official may use a committee room for educational and informational meetings that address issues affecting the state if the official arranges for security, janitorial, and other services with the Office of Management and Budget and the use is sponsored by a state agency. A member of the Legislative Assembly may use a committee room for any legal purpose and may sponsor use by a group or organization. Any other group or organization may use committee rooms as necessary for educational and informational meetings that have a reasonable relationship to the legislative process only if the group or organization arranges for security, janitorial, and other services with the Office of Management and Budget and either is sponsored by a state agency or signs a facilities use agreement as required under the guidelines for use of legislative chambers and displays in Memorial Hall.
 - b. Committee rooms may not be provided for use by a group or organization if the purpose of the meeting is to advocate the introduction of legislation or to encourage or oppose the enactment of legislation or any decision on a matter before the Legislative Assembly or Legislative Council or any legislative committee.
4. The press studio on the ground floor of the legislative wing may not be used during a legislative session by anyone other than a member of the Legislative Assembly and may not be used during other periods by anyone other than a legislator or an elected state official unless prior approval is obtained from the director of the Legislative Council or the director's designee.
 - c. Any planned function may not interfere with the business or activities of the legislative branch.
 - d. If the use is not by a state agency or is not sponsored by a state agency, no other suitable facilities are available on the Capitol grounds or in a privately operated facility that may or may not charge a fee for that use.
 - e. The sponsor of the planned function assumes full responsibility for the care of the committee room, will see that no food is brought into the room, will see that coasters are used if beverages are brought into the room, will not rearrange the furniture in or remove the furniture from the room, and will leave the room in the condition it was in before the planned function.
 - f. Prior approval is obtained from the Legislative Procedure and Arrangements Committee for use contrary to this policy.
 - g. The director of the Legislative Council, or the director's designee, may arrange with the Office of Management and Budget to manage the scheduling of committee rooms.