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## GOVERNMENT SERVICES COMMITTEE

Wednesday, October 4, 2023  
Room 327B, State Capitol  
Bismarck, North Dakota

Representative Ben Koppelman, Chairman, called the meeting to order at 8:35 a.m.

**Members present:** Representatives Ben Koppelman, Cole Christensen, Liz Conmy, Karla Rose Hanson, Karen Karls, Lisa Meier, Jeremy Olson, Shannon Roers Jones, Steve Vetter; Senators Randy A. Burckhard, Michael Dwyer, Diane Larson, Tim Mathern, Jim P. Roers

**Members absent:** None

**Others present:** See [Appendix A](#)

Mr. Alex J. Cronquist, Senior Fiscal Analyst, Legislative Council, presented the [Supplementary Rules of Operation and Procedure of the North Dakota Legislative Management](#).

### STUDY OF THE STATE CRIME LABORATORY

Mr. Cronquist presented a memorandum entitled [Study of the State Crime Laboratory - Background Memorandum](#).

Ms. Claire Ness, Chief Deputy Attorney General, Attorney General's office, commented regarding the committee's study of the State Crime Laboratory.

Ms. Jennifer Penner, Director, State Crime Laboratory, presented information ([Appendix B](#)) regarding the State Crime Laboratory, including the history of the laboratory, the laboratory's capabilities, potential enhancements, staffing and equipment needs, and other background information regarding the State Crime Laboratory.

Mr. Lonnie Grabowska, Director, Bureau of Criminal Investigation, commented regarding the committee's study of the State Crime Laboratory.

In response to a question from a committee member, Ms. Penner said it would be preferable to locate all State Crime Laboratory employees at one centralized location.

Ms. Stephanie Dassinger Engebretson, Deputy Director, North Dakota League of Cities, introduced Mr. Dave Zibolski, Chief, Fargo Police Department, to present on behalf on the Chiefs of Police Association of North Dakota. Mr. Zibolski presented information ([Appendix C](#)) regarding the capabilities of the State Crime Laboratory.

Mr. Jonathan Byers, North Dakota State's Attorneys' Association, commented regarding the committee's study of the State Crime Laboratory.

Ms. Donnell Preskey, Executive Director, North Dakota Sheriff's and Deputies Association, commented regarding the committee's study of the State Crime Laboratory.

Representative Vetter requested Ms. Preskey to provide the committee with additional information regarding the number of cases dismissed due to evidence not being analyzed in a timely manner.

Mr. Robert Vallie, Assistant State's Attorney, Cass County State's Attorney's office, commented regarding the committee's study of the State Crime Laboratory.

Chairman Koppelman noted that it appears the committee will not need to receive additional information regarding the administration of the State Crime Laboratory. He noted the testimony provided to the committee was supportive of expanding the capabilities of the State Crime Laboratory to include ballistic and fingerprint testing.

In response to a question from a committee member, Ms. Ness said specifications for a new or expanded State Crime Laboratory facility may not be available until the fall of 2024.

Senator Roers noted the proposed State Health Laboratory will be constructed on the grounds of the Capitol complex. He suggested a more centralized structure be adopted for facility planning and procurement, potentially including representatives of the Office of Management and Budget and the Capitol Grounds Planning Commission and members of the Legislative Assembly.

Chairman Koppelman commented regarding the potential of requesting permission from the Chairman of the Legislative Management to expand the committee's duties to include a review of streamlining facilities planning.

Representative Olson requested Ms. Ness to provide additional information to the committee regarding the costs and benefits of a new or expanded State Crime Laboratory facility and related staffing compared to outsourcing more laboratory work.

Senator Mathern suggested the committee request the study be expanded to review the oversight and planning of state facilities, including the role of members of the Legislative Assembly.

Chairman Koppelman indicated he would seek approval from the Chairman of the Legislative Management.

## **STUDY OF CONSTRUCTION AND INFRASTRUCTURE PROCUREMENT**

Mr. Cronquist presented a memorandum entitled [Study of Infrastructure Development and Construction Management Procurement - Background Memorandum](#).

Representative Roers Jones requested additional information regarding North Dakota Century Code Section 48-01.2-20(5), including whether all the criteria listed must be included in the selection committee's consideration.

Mr. Russ Hanson, Executive Vice President, Associated General Contractors of North Dakota, presented information ([Appendix D](#)) regarding the construction and infrastructure procurement process.

Mr. John Boyle, Facility Management Director, Office of Management and Budget, presented information ([Appendix E](#)) regarding construction and infrastructure procurement.

Chairman Koppelman asked Mr. Boyle to provide the committee with additional information regarding the weighting of bid criteria for the State Health Laboratory capital project.

Mr. Darin Scherr, Bismarck Public Schools, presented information ([Appendix F](#)) regarding construction and infrastructure procurement.

Chairman Koppelman asked Mr. Scherr to provide the committee with additional information regarding the architects and contractors chosen for recent projects and the weighting of bid criteria for the projects.

Mr. Mike Dunn, Business Development Manager, Construction Engineers of Grand Forks, North Dakota, presented information ([Appendix G](#)) regarding construction and infrastructure procurement.

Mr. Michael Pieper, University of North Dakota, presented information ([Appendix H](#)) regarding construction and infrastructure procurement, including the university's use of public-private partnerships for facilities.

Committee members asked Mr. Pieper to provide the committee with additional information regarding:

- Public-private partnership projects completed at the University of North Dakota, including a listing of subcontractors involved in the projects.
- The bidding process for public-private partnership projects completed at the University of North Dakota.

Mr. Phil Murdoff, Director of Construction Services, North Dakota Department of Transportation, presented information ([Appendix I](#)) regarding construction and infrastructure procurement for roads and bridges.

Ms. Carel Two Eagle, Bismarck, commented regarding the committee's study of construction and infrastructure procurement.

### OTHER DUTIES

Mr. Cronquist presented a memorandum entitled [Other Government Services Committee Responsibilities - Background Memorandum](#).

**It was moved by Senator Mathern, seconded by Senator Burckhard, and carried on a roll call vote that the committee request authority from the Legislative Management Chairman to expand the study of construction and infrastructure procurement to include a review of potential changes to the Office of Management and Budget and legislative oversight of construction projects, and to approve the amended study plan, as identified in the background memorandum.** Representatives Koppelman, Christensen, Conmy, Hanson, Meier, Olson, Roers Jones, and Vetter and Senators Burckhard, Dwyer, Larson, Mathern, and Roers voted "aye." Representative Karls voted "nay."

**It was moved by Senator Larson, seconded by Representative Olson, and carried on a voice vote that the committee amend the proposed study plan for the study of the State Crime Laboratory, as identified in the background memorandum, to remove item number 3, relating to the administration of the State Crime Laboratory, and to approve the amended study plan.**

Chairman Koppelman asked the Legislative Council staff to provide the committee with additional information regarding public-private partnership, construction management at-risk, and other capital projects completed by North Dakota University System institutions, including criteria and bid information.

No further business appearing, Chairman Koppelman adjourned the meeting at 3:00 p.m.

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Alex J. Cronquist  
Senior Fiscal Analyst

ATTACH:9