

March 24, 2023

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1288

Page 1, line 1, after "enact" insert "a new section to chapter 48-01.2, a new subsection to section 48-01.2-18, a new subsection to section 48-01.2-19, and"

Page 1, line 2, after the first "to" insert "public improvement bids and"

Page 1, line 3, replace "section" with "sections 48-02.1-03 and"

Page 1, line 3, after "to" insert "public improvement bids and"

Page 1, after line 5, insert:

"SECTION 1. A new section to chapter 48-01.2 of the North Dakota Century Code is created and enacted as follows:

Bid process - Public funds.

Except as otherwise provided by law, any entity receiving state funds for a state or local improvement project shall follow the bid process under this chapter.

SECTION 2. A new subsection to section 48-01.2-18 of the North Dakota Century Code is created and enacted as follows:

Before making a determination under this section, the governing body shall follow the bid process provided under this chapter.

SECTION 3. A new subsection to section 48-01.2-19 of the North Dakota Century Code is created and enacted as follows:

Notwithstanding the criteria in subsection 5 and unless the committee provides written rationale substantiating a decision to the contrary, the fee to be charged by each person interviewed must be the selection committee's primary consideration.

SECTION 4. AMENDMENT. Section 48-02.1-03 of the North Dakota Century Code is amended and reenacted as follows:

48-02.1-03. Public authority may enter into development agreement - Bid process.

1. A public authority may solicit or accept proposals from private operators for the constructing, improving, rehabilitating, operating, managing, and owning of a fee-based facility that will be situated in an area subject to the public authority's jurisdiction. After a hearing, the public authority may accept a proposal that it determines to be in the public interest. A public authority may negotiate and enter into a development agreement with any private operator.

2. Before soliciting or accepting proposals from private operators under this section, the public authority shall follow the bid process provided under chapter 48-01.2."

Page 2, line 11, after the underscored period insert "This section does not require the owner of the property management business to be disclosed if the property management services are provided through a third party contract."

Renumber accordingly