



LEGISLATIVE PROCEDURE AND ARRANGEMENTS COMMITTEE

Wednesday, March 20, 2024
Roughrider Room, State Capitol
Bismarck, North Dakota

Senator Jerry Klein, Chairman, called the meeting to order at 8:00 a.m.

Members present: Senators Jerry Klein, Kathy Hogan, David Hogue, Merrill Piepkorn, Kristin Roers, Ronald Sorvaag; Representatives Glenn Bosch, Josh Boschee, Zachary Ista, Dennis Johnson*, Mike Lefor, Emily O'Brien

Member absent: Representative Austen Schauer

Others present: Senator Brad Bekkedahl, Williston, member of the Legislative Management
John Bjornson and Lori Ziegler, Legislative Council, Bismarck

See Appendix A for additional persons present.

**Attended remotely*

It was moved by Senator Hogan, seconded by Representative O'Brien, and carried on a voice vote that the minutes of the December 14, 2023, meeting be approved as distributed.

PRINTING SERVICES

Ms. Emily Thompson, Legal Division Director, Legislative Council, presented a memorandum entitled [Legislative Document Printing Services](#). She noted:

- The demand for paper copies of documents has decreased due to the ease of accessing documents digitally.
- Legislators, Legislative Assembly staff, and Legislative Council employees may receive printed documents free of charge. Members of the public may receive up to five copies of a limited number of bills and resolutions free of charge, with a 25 cent printing fee charged for documents exceeding five copies per document. Only \$53 in printing fees were generated during the 2023 legislative session.
- A paid subscription service that allowed individuals to receive a complete set of legislative documents was suspended during the 2023 legislative session due to the small number of individuals subscribing to the service.
- Historically, some documents have been designated for bulk printing by a contracted vendor and some documents have been printed on demand by bill and journal room staff using rented equipment.
- The committee may task the Office of Management and Budget with soliciting bids for bulk printing services or the committee may elect to use Central Duplicating Services as the Legislative Assembly's printing provider.
- In the past, this committee has reduced the types of documents bulk printed in advance, limiting pre-printing during the 2023 legislative session to only journals, 125 daily calendars for the House, 100 daily

calendars for the Senate, and 150 weekly committee hearing schedules for each chamber.

In response to a question from a committee member, Ms. Thompson noted printing costs increased from the 2021 to 2023 legislative session, even though the number of documents printed decreased, due to rising paper costs.

Committee members noted the benefits of reducing waste and excess expenditures by moving to on-demand printing, rather than printing a set number of copies in advance, and eliminating the document subscription service.

In response to a question from a committee member, Ms. Thompson noted the Legislative Council has considered the option of fee-based, on-demand printing kiosks for the public as a possibility for future sessions.

It was moved by Senator Sorvaag, seconded by Senator Roers, and carried on a roll call vote that the 25 cent per page photocopy fee be eliminated. Senators Klein, Hogan, Hogue, Piepkorn, Roers, and Sorvaag and Representatives Bosch, Boschee, Ista, Johnson, and Lefor voted "aye". No negative votes were cast.

It was moved by Senator Hogan, seconded by Representative Bosch, and carried on a roll call vote that the document subscription program be eliminated. Senators Klein, Hogan, Hogue, Piepkorn, Roers, and Sorvaag and Representatives Bosch, Boschee, Ista, Johnson, and Lefor voted "aye". No negative votes were cast.

Ms. Thompson noted she would bring the corresponding rule change regarding the elimination of the document subscription program to the committee for its review at the next meeting.

Committee members expressed interest in eliminating the contract printing of daily calendars and weekly committee hearing schedules, noting many individuals throw away the copies left on their desks. Committee members noted individuals who wish to receive paper copies of those documents could opt-in at the beginning of the legislative session to receive daily calendars and weekly committee hearing schedules and those documents could be printed by Legislative Assembly staff.

It was moved by Representative Bosch, seconded by Senator Sorvaag, and carried on a roll call vote that print-on-demand services would be used for all document printing except the number of journal copies required under House and Senate Rule 204 and legislators wishing to receive paper copies of daily calendars and weekly committee hearing schedules can opt-in to a distribution list at the beginning of the legislative session. Senators Klein, Hogan, Hogue, Piepkorn, Roers, and Sorvaag and Representatives Bosch, Boschee, Ista, Johnson, and Lefor voted "aye". No negative votes were cast.

It was moved by Representative Senator Piepkorn, seconded by Representative Bosch, and carried on a roll call vote that Central Duplicating Services be approved as the printing services provider for the biennium. Senators Klein, Hogan, Hogue, Piepkorn, Roers, and Sorvaag and Representatives Bosch, Boschee, Ista, Johnson, and Lefor voted "aye". No negative votes were cast.

ELECTRONIC LETTERHEAD

Ms. Thompson reviewed the practice of legislators receiving letterhead in an electronic format, rather than a paper format, and noted the practice has been used for several sessions and has worked well.

It was moved by Senator Roers, seconded by Representative Ista, and carried on a roll call vote that the practice of providing each legislator an electronic template for printing letterhead through word processing and email software be continued. Senators Klein, Hogan, Hogue, Piepkorn, Roers, and Sorvaag and Representatives Bosch, Boschee, Ista, Johnson, and Lefor voted "aye". No negative votes were cast.

PHOTOGRAPHY SERVICES

Ms. Thompson presented a memorandum entitled [Legislative Assembly Photography Services](#). She noted:

- In the past, this committee has invited photographers to submit bids for Legislative Assembly photography services.
- Last interim, only one bid was received, and the committee elected to have the Legislative Council staff provide photography services.
- Photographs taken by contract photographers or the Legislative Council staff are copyrighted and may be used only upon request and for limited purposes.
- The photographs may not be used for political purposes by a legislator or any other individual.

It was moved by Representative Bosch, seconded by Representative Lefor, and carried on a roll call vote that the Legislative Council staff provide in-house photography services to the 69th Legislative Assembly. Senators Klein, Hogan, Hogue, Piepkorn, Roers, and Sorvaag and Representatives Bosch, Boschee, Ista, Johnson, and Lefor voted "aye". No negative votes were cast.

In response to a question from a committee member, Ms. Thompson noted the Legislative Council will provide additional guidance relating to the allowable uses of legislator photographs, with examples illustrating acceptable and prohibited uses, and distribute that information during the organizational session when legislators have their photographs taken.

LEGISLATIVE AREA CARPETING

Mr. John Bjornson, Director, Legislative Council, provided an update on the cost to replace carpeting in the Legislative Council offices. He noted only one estimate has been received thus far, which was quite high. The office is waiting ~~on~~[for](#) additional estimates and will provide an update at the committee's June meeting.

CHAMBER CHAIR REPLACEMENT

Ms. Lori Ziegler, Legislative Administrative Officer, Legislative Council, provided additional legislative chamber ~~replacement~~ chair [replacement](#) options based on the committee's request from the previous meeting. She noted:

- If the committee can narrow the ~~if~~ selection to three or four chairs, the Legislative Council will submit a request for bids for chairs matching the specifications of those selected and present any bids received to the committee at it's June meeting.
- The chairs presented come in various colors, including red and blue, and are available in either fabric or vinyl.

Committee members reviewed the chairs presented and narrowed the selection—~~down~~ to three chair preferences.

It was moved by Senator Sorvaag, seconded by Senator Hogan, and carried on a roll call vote that the Legislative Council staff arrange for the solicitation of bids for the committee's three preferred chair options for the legislative chambers. Senators Klein, Hogan, Hogue, Piepkorn, Roers, and Sorvaag and Representatives Bosch, Boschee, Ista, Johnson, and Lefor voted "aye". No negative votes were cast.

CHAMBER ACCESSIBILITY OPTIONS

Mr. Michael J. Burns, President, Michael J. Burns Architects, Ltd., presented options (Appendix B) for accessibility improvements to the legislative chambers. He noted:

- ~~The~~Because the distance from the front to the back of the chambers ~~on~~in the House ~~side~~ is longer than the distance ~~on~~in the Senate ~~side~~, ~~so~~ there are different accessibility options for each chamber.
- In the House chambers, the three accessibility options include: (1) adding ramps on the far right and left sides of the chamber, (2) raising the area in front of the rostrum by 5 inches and adding ramps in four of the five aisles, and (3) demolishing and rebuilding the entire floor area to create a 2 percent slope. For the first two options, smaller ramps will need to be added in each location where the main ramps meet the entrances to the seating areas.
- In the Senate chambers, the two accessibility options include: (1) raising the area in front of the rostrum by 5 inches and adding ramps on the far right and left sides of the chamber, and (2) demolishing the entire floor area to create a 2 percent slope. For the first option, smaller ramps will need to be added in each location where the main ramps meet the entrances to the seating areas.
- Each option also includes adding a floor lift to access the area occupied by the Speaker of the House and the President of the Senate.
- Final cost estimates for the options in each chamber will be available in about 2 weeks.
- Any option selected can be completed in the timeframe between legislative sessions.

Ms. Thompson noted the committee will review cost estimates for each accessibility option at its June meeting.

TERM LIMITS STUDY

Senator Brad Bekkedahl, Williston, presented a memorandum entitled [Budget Section Division Proposal](#). He noted:

- The proposal regarding the establishment of Budget Section divisions was crafted to address potential issues related to term limits to better inform and educate legislators tasked with developing the state budget.
- The proposed divisions would include a Leadership Division, Education and Environment Division, Government Operations Division, and Human Resources Division.

Ms. Thompson presented a memorandum entitled [Comparison of North Dakota and Montana Legislative Service Agencies](#). She noted both states share similar characteristics such as holding biennial legislative sessions for a similar number of days, having a similar number of legislators, and imposing term limits; however, the states

vary drastically in the number of full-time legislative staff, with Montana having 152 permanent legislative staff and North Dakota having 45 permanent legislative staff.

Committee members noted the data presented shows Montana is a good comparable to North Dakota and illustrates the huge gap in staffing levels.

In response to questions from committee members, Ms. Thompson noted:

- Only a slight increase in staffing occurred in Montana after term limits were imposed because the legislature already had a fairly robust level of staffing before term limits.
- One large division found in Montana that is not found in North Dakota is a policy and research division.
- Currently, any research or policy analysis requested by a legislator in North Dakota is conducted by staff members in the legal and fiscal divisions, rather than by a policy analyst in dedicated policy and research division.
- Several executive branch agencies have dedicated policy analyst staff, but that position is not present at the Legislative Council.
- The abundance of policy and research materials on Montana's legislative website for both legislators and the public illustrates the disparity in materials provided by the two states as a result of drastically different staffing levels and the absence of policy and research analysts in North Dakota.

Ms. Thompson provided a website demonstration to review the types of policy and research materials available on Montana's legislative services website including topical visual aids, interactive graphics, summaries, and reports. She noted the Legislative Council has wanted to add these types of resources to its website for some time but has not had the ability due to staff being too thinly stretched with existing duties.

Ms. Thompson presented a proposal ([Appendix C](#)) to expand legislative staffing in 2025, and a proposal ([Appendix D](#)) to further expand legislative staffing in 2027, in response to the committee's directive to develop a 5-year plan to expand staffing at the Legislative Council. She noted:

- The proposed staffing expansion for 2025 for an additional 25 Legislative Council ~~staff~~employees includes the addition of seven individuals in the information technology area, two individuals in the administrative services division, a communications specialist, two legislative editors and an attorney in the legal division, six policy analysts, one fiscal analyst and four program evaluators in the fiscal division, and a human resource specialist.
- The proposed staffing expansion for 2027 for an additional 25 Legislative Council ~~staff~~employees includes the addition of eight individuals in the information technology division; four individuals in the administrative services and operations division; a legislative editor and an attorney in the legal division; a policy director and four additional policy analysts; one fiscal analyst, a program evaluations director, an additional program evaluator, and two accounting specialists in the fiscal division, and a human resources manager.
- The proposed staffing expansion would increase the size of the Legislative Council to a total of 95 full-time positions by 2027.

Committee members noted:

- The proposed staffing expansion may appear significant, but it is long overdue.
- Not all of the proposed full-time positions need to be additional positions in state government. Some positions could be reallocated from existing full-time positions in other agencies.
- The proposed addition of a communications specialist is important to keep the public informed of programs passed by the ~~legislature~~Legislative Assembly, such as the \$50 million in property tax relief that homeowners are required to apply for to receive.
- The addition of program evaluation staff will allow legislators to determine whether staffing or funding allocated by the ~~legislature~~Legislative Assembly for certain programs is having the desired impact for which the staffing or funding was allocated.
- Policy analysis should be available for high revenue and high expenditure portfolio areas, such as oil and gas and water.

In response to a question from a committee member, Ms. Thompson noted with the positions proposed in the 2027 staff expansion, there would be enough policy analysts to staff standing committees during the legislative session in the same manner the fiscal staff currently staff the appropriations committees.

The Legislative Council staff was requested to provide job description summaries, pay and benefit information, and physical space needs relating to the proposed staff expansion at the committee's June meeting.

CONFLICT OF INTEREST RULES

Mr. Bjornson provided an update on conflict of interest rules. He noted:

- The committee reviewed conflict of interest rules at its previous meeting.
- A recent article noted the Ethics Commission~~s~~ believes additional items should be added to the ~~legislatures~~ conflict of interest rulesof the Legislative Assembly.
- The Legislative Council staff would like to continue to work with the Ethics Commission to come to a workable solution.

Committee members noted the Ethics Commission's rules are inconsistent and poorly drafted and the threat of criminal prosecution over casting a vote will make it difficult to find individuals willing to run for public office. ~~There~~Committee members noted there needs to be clarity in the rules before the 2025 legislative session.

No further business appearing, Chairman Klein adjourned the meeting at 10:20 a.m.

Emily Thompson
Legal Division Director

ATTACH: