

NORTH DAKOTA LEGISLATIVE COUNCIL

Minutes of the

LEGISLATIVE MANAGEMENT COMMITTEE

Thursday, June 30, 2005
Harvest Room, State Capitol
Bismarck, North Dakota

Senator Bob Stenehjem, Chairman, called the meeting to order at 9:00 a.m.

Members present: Senators Bob Stenehjem, Randel Christmann, Tony Grindberg, David O'Connell; Representatives Scot Kelsh, Matthew M. Klein, David Monson

Members absent: Senator Michael A. Every; Representatives Rick Berg, Merle Boucher

Others present: Jim Gienger, Enterprise Solutions, Inc., Bismarck

John Boyle, Joel Leapaldt; Office of Management and Budget, Bismarck

Jennifer Horning, Karen L. Collins; Spherion, Bismarck

Mike Ressler, Nancy Walz; Information Technology Department, Bismarck

Dean Eberle, Audio Systems Company, Bismarck

Jim W. Smith, John Bjornson, Maryann F. Trauger, Karen J. Mund; Legislative Council, Bismarck

LEGISLATIVE APPLICATIONS REPLACEMENT PROJECT

The director reviewed the background of the legislative applications replacement project. He said the project encompasses all computer applications used by the Legislative Assembly and the Legislative Council. In 2003, he said, \$200,000 was appropriated for an infrastructure analysis. He said the Information Technology Committee hired Techwise Solutions, Fargo, as contract manager with respect to that committee's study of the state's information technology organization and management. He said the Legislative Council then contracted with Techwise Solutions as the contract manager for the infrastructure analysis. He said a request for proposal (RFP) was sent to 30 consulting firms nationwide and 3 responded. He said the only one that qualified within the available funding and required expertise was Enterprise Solutions, Bismarck. He said the president of Enterprise Solutions is Mr. Jim Gienger. He said Mr. Gienger has experience with the Information Technology Department, IBM, and in developing some of the systems currently used in the legislative branch. He said Mr. Gienger is married to Ms. Deb Gienger, Information Technology Systems Administrator for the Legislative Council, and the relationship with a member of the Legislative Council staff is

brought to the attention of the committee so that full disclosure is made as to the relationship. He emphasized that the contract was awarded based on competitive bids using a contract manager and the winning bidder had to meet the qualifications required in the RFP.

The director said replacement of legislative applications is a very serious matter because the major applications used by the Legislative Council (which are also the major applications used to provide information for the Legislative Assembly) are mainframe applications--all of which must be migrated to servers under timeframes established by the Information Technology Department. The director said there is a substantial risk the current systems will not be supported, and he gave the example of the firm that created the bill drafting system. He said that firm is no longer in business and the Legislative Council staff has located a former member of that firm's staff who is providing support for that system. He said the Legislative Council is also in danger of losing necessary support due to the loss of key personnel resulting from retirements or other job changes. He said the new people being hired to provide support in the Information Technology Department do not have the background in the obsolete systems the legislative branch is using. He said the staff has been told it would be prohibitively expensive to try to migrate the bill drafting system off of the mainframe, so the Legislative Assembly will likely be one of the last agencies still on that hardware, which could be very costly.

Chairman Stenehjem recognized Mr. Gienger. Mr. Gienger provided a status report on the legislative applications replacement project. A copy of the report is attached as an appendix. The report identifies the business reasons for the infrastructure replacement project, describes the completed phase of analyzing the project's scope, reviews the methodology and approach taken, reviews the current applications environment, lists system requirements, reviews other states' projects, identifies potential solutions, recommends a solution, provides project budget estimates, and lists the next steps to take.

Mr. Gienger said a primary reason for the project is the lack of a common publishing editor. He said when the bill drafting system was replaced in the early 1990s, there was not a common editor so SEI, the

contractor for developing the bill drafting system, built one. He said all applications in the legislative branch are very complex and highly customized. He said the applications are old, which results in the use of obsolete technology, a limited base of users with the skills in the technology, the need for extensive training on applications, and a lack of technical support personnel. For example, he said, as the director had reported, SEI is no longer in business and the Legislative Council staff had to track down a former employee who resides in Denver and contracted with that individual to provide technical support for the bill drafting system. He said there also is a lack of real-time reporting of information in the systems.

In response to a question from Senator Stenehjem, Mr. Gienger said the goal for replacement of the applications with respect to training is to make it more user friendly for everyone--drafters, support staff, and legislators.

Mr. Gienger identified the current applications environment as primarily three separate areas--Lotus Notes, mainframe, and other. He identified 11 applications using Lotus Notes, 18 applications using the mainframe, and 3 applications using other types of servers. Information from all these different systems and applications, he said, is utilized to provide information for the LAWS system, Internet, and monitors in the legislative wing.

In response to a question from Senator Stenehjem, Mr. Gienger said the LAWS system works pretty well, but the problem is that the LAWS system gets its information from other systems, which primarily are the legacy (mainframe) systems that are using obsolete technology.

Mr. Gienger described the next step as appointing an executive steering group that would recommend project budget and timelines to the Legislative Management Committee, review and monitor project budget and implementation plan timelines, review and monitor a communication plan, review milestone progress, and provide the escalation point for project issues. He said additional steps would be to develop an RFP, select a vendor, negotiate a contract and statement of work that includes deliverables and schedule, and perform the work. He said these steps would include performing an analysis that captures detailed business and technical requirements and increases the stakeholder involvement; creating a design that defines business processes, selects products, and develops an architectural prototype; refining the budget, including the cost-benefit analysis and return on investment analysis; developing a project plan that includes a phased approach with milestones and deliverables; and implementing a solution, the extent of which is determined primarily by funds available.

Mr. Gienger suggested that the executive steering group be appointed in July 2005, a vendor list be created in August 2005, the RFP be approved in

September 2005, and the vendor be selected by the Legislative Management Committee in November 2005. Under this timeline, he said, the project would kickoff in December, the analysis and design would occur January-June 2006, the cost-benefit and return on investment analyses would be performed in May-June 2006, and the beginning of implementation work on the project would be July 2006 through June 2007.

In response to a question from Senator Grindberg, Mr. Gienger said refined cost estimates will provide more exact figures with respect to hardware, software, and implementation costs.

In response to a question from Senator Christmann, Mr. Gienger said the reason for awarding a bid before performing a cost-benefit analysis is that it would be difficult to do an exact cost-benefit analysis without getting into the detailed analysis and design.

In response to a question from Senator Christmann, Mr. Gienger said the projected 10-year cost of \$8.5 million for application support for remaining with the current legislative applications includes costs attributable to the Information Technology Department and contractors used by the Legislative Council. He said the projected \$400,000 per biennium hosting costs are the costs of being on the mainframe. He said the estimate was prepared in December 2004. Although the hosting costs were projected as the same from biennium to biennium from the 2005-07 through 2013-15, he said, as state agencies convert applications from the mainframe, the agencies continuing their applications on the mainframe will be incurring additional hosting costs because mainframe costs are spread among the users of the mainframe. He said Mr. Curtis L. Wolfe, Chief Information Officer, recently told him hosting costs would be increasing substantially for those agencies remaining on the mainframe in the next few years.

Chairman Stenehjem inquired as to the thoughts of the Legislative Council staff and the Information Technology Department with respect to Mr. Gienger's report. Ms. Maryann F. Trauger, Manager, Information Technology Services, Legislative Council, said she was comfortable with the proposed next steps for the project. Mr. Mike Ressler, Deputy Chief Information Officer, Information Technology Department, said he does not see any glaring concern and the department has worked closely with the Legislative Council staff and Mr. Gienger.

Mr. Ressler said the Illinois General Assembly recently has completed an infrastructure replacement project after a 1995 replacement project had failed. He said the primary reasons the 1995 project failed was lack of project management and lack of having an individual with decisionmaking authority, e.g., whether to discontinue developing a particular application. He said estimates are that it could cost \$1

million to \$2 million merely to migrate existing applications used by LAWS off the mainframe.

It was moved by Representative Klein and seconded by Senator Christmann to approve the project plan as presented by Mr. Gienger. Representative Klein said it is essential that the Legislative Assembly proceeds with this project. Senator Stenehjem said Section 5 of Senate Bill No. 2001 authorizes the Legislative Council chairman to appoint an executive steering group for the project and he intends to appoint at least three members from each house--two from the majority and one from the minority. He asked each leader present to think of recommending members to him who use technology and are willing to invest the time and effort to participate in the steering group. After this discussion, **the motion carried on a roll call vote.** Senators Stenehjem, Christmann, Grindberg, and O'Connell and Representatives Kelsh, Klein, and Monson voted "aye." No negative votes were cast.

2010 CENSUS DATA PROJECT

The chairman called on Mr. John Bjornson, Counsel, Legislative Council, who reported that the United States Census Bureau is making preparations for the 2010 census. He said Phase 1 of the census data project will allow state legislatures to identify current legislative district boundaries for the Census Bureau, which in turn will provide 2010 census information for those legislative districts. He said the North Dakota Legislative Assembly created its own lines in certain districts. An example in Bismarck, he said, is the row of houses north of Boulevard Avenue and west of Washington Street. He said the census block boundary follows Boulevard Avenue and this resulted in those houses being included in the golf course area, but the Legislative Assembly drew the line along the trail behind those houses which resulted in those houses being included with houses on the south side of Boulevard Avenue.

Mr. Bjornson said if the state participates in Phase 1, the Census Bureau will identify current legislative district boundaries and will provide current population information for the districts. He said a decision needs to be made before August 1, 2005, and a letter identifying a liaison would need to be signed by the Governor and the majority and minority leaders.

In response to a question from Senator Stenehjem, Mr. Bjornson said he is not sure who would be the liaison with the Census Bureau. With respect to the 2000 census data project, he said, the Governor appointed an employee of Job Service but that individual is no longer in North Dakota. He said he had communicated with the Governor's office and suggested Mr. Bob Nutsch, who works with the geographic information system in the Information Technology Department.

It was moved by Representative Klein, seconded by Senator Grindberg, and carried on a roll call vote that the state participate in Phase 1 of the 2010 census data project. Senators Stenehjem, Christmann, Grindberg, and O'Connell and Representatives Kelsh, Klein, and Monson voted "aye." No negative votes were cast.

VETERANS' MEMORIAL

The assistant director said House Bill No. 1528 (2005) requires the Legislative Management Committee to visit and inspect the veterans' memorial on the Capitol grounds and make recommendations for repairs and updates to the Facility Management Division of the Office of Management and Budget. He said the recommendations must be made before September 1, 2005.

Chairman Stenehjem recognized Mr. John Boyle, Director, Facility Management Division. Mr. Boyle said the veterans' memorial on the Capitol grounds contains misspelled names and does not provide panel space to add names of military personnel killed in recent and ongoing conflicts. He said the names on the memorial only include military personnel killed on active duty during wartime. He said to replace all the panels to correct misspelled names would cost approximately \$100,000. He said veterans' organizations were contacted and an inquiry was made as to whether they would provide a 50/50 match to correct the names but none responded. He said the Facility Management Division does provide normal maintenance for the memorial but does not have funds available to provide for the big ticket repairs.

In response to a question from Senator Stenehjem, Mr. Boyle said L & H Manufacturing, which manufactured the panels, said a whole panel needs to be replaced to correct one letter. He said out of over 4,200 names, about 80 are incorrect.

Chairman Stenehjem recessed the meeting for purposes of touring the veterans' memorial. After the tour, Chairman Stenehjem reconvened the meeting in the Harvest Room.

Senator Christmann said there is space available in the northeast corner of the memorial for adding a third panel, which would allow expansion and space for additional names. With respect to correcting misspellings, he said, the best time to correct the errors would be when a panel needs to be replaced due to excessive wear and tear.

Representative Klein said the cost to correct a misspelled name is expensive because an entire panel would need to be replaced. Even if all currently known errors are corrected, he said, another error could be found anytime in the future.

Senator Stenehjem said individuals and private organizations provided funding for the monument, while the state provided space and continues to provide normal maintenance.

In response to questions, Mr. Boyle said the cost of adding a panel in the northeast corner can be obtained from the architect. He said the memorial was designed by Mr. Warren Tvenge, Tvenge Associates Architects, Bismarck.

It was moved by Senator Christmann, seconded by Representative Klein, and carried on a roll call vote that the committee recommend to the Facility Management Division that the Facility Management Division obtain a cost estimate for adding a third panel in the northeast corner of the monument and provide that estimate to the committee. Senators Stenehjem, Christmann, Grindberg, and O'Connell and Representatives Kelsh, Klein, and Monson voted "aye." No negative votes were cast.

LEGISLATIVE SPACE NEEDS

The assistant director reported that Section 7 of Senate Bill No. 2001 requires the Legislative Management Committee to study the need for additional legislative committee meeting rooms. The Legislative Council is authorized to expend any funds available for the remodeling of legislative meeting rooms if the study concludes that additional meeting rooms are needed.

The assistant director reviewed a memorandum entitled [Bills, Resolutions, and Journals - Copies Printed, Distributed, and On Hand](#). He said under the contract approved by the Legislative Management Committee, the contract printer printed 750 copies of each daily journal, 325 copies of each bill as introduced, 325 copies of each resolution, and 200 copies of each engrossed bill and resolution during the 2005 legislative session. He said the committee has reviewed and revised these numbers according to best estimates since 1989, when 1,800 copies of journals, 800 copies of bills, and 500 copies of resolutions were printed. He said the bill and journal room distributes materials through boxes in the bill and journal room for subscribers to pick up, through delivery to various entities in the legislative wing, and through handing out items at the walkup window. In 2005, he said, approximately 98 copies of bills and 69 copies of engrossed bills were placed in subscribers' boxes, approximately 15 copies of bills and 15 copies of engrossed bills were delivered to the Legislative Council, and approximately 50 copies of bills and 50 copies of engrossed bills were made available to the Legislative Assembly. Upon receipt of daily journals, he said, employees place 48 copies in subscribers' boxes, distribute 50 copies, and provide a "big handful" to the information kiosk for distribution.

The assistant director said based on recommendations of the bill and journal room employees, as well as a review of the copies remaining on hand after adjournment, it appears that for 2007 the contract could provide for 300 copies of bills as introduced, 300 copies of engrossed bills, and 450 copies of daily

journals of each house. He said a reduced number of initially printed items as well as more efficient storage of items could substantially reduce the space needed for the bill and journal room.

Senator Stenehjem said using filing cabinets rather than shelving units may provide a substantial savings in space and a sufficient number of copies could be stored in filing cabinets. The assistant director said the Legislative Council stores its 15 copies of every bill and resolution introduced in seven file drawers.

The assistant director reviewed a memorandum entitled [Legislative Committee Rooms - Size and Capacity](#). The memorandum lists the rooms in the State Capitol used as legislative committee rooms during legislative sessions, the square footage of each room, and the capacity of the room as identified by the Facility Management Division. The memorandum identifies the square footage of these rooms:

- Pioneer Room - 2,600 square feet.
- Fort Lincoln Room - 725 square feet.
- Sakakawea Room - 720 square feet.
- Peace Garden Room - 700 square feet.
- Fort Totten Room - 700 square feet.
- Fort Union Room - 700 square feet.
- Lewis and Clark Room - 684 square feet.
- House Conference Room - 640 square feet.
- Red River Room - 600 square feet.
- Missouri River Room - 595 square feet.
- Roosevelt Park Room - 528 square feet.

The memorandum identifies three potential areas that could be remodeled into committee rooms:

- House locker room - 570 square feet.
- Bill and journal room - 1,322 square feet.
- Bill and journal room, without former hallway - 904 square feet.
- Bill and journal room, former hallway portion - 418 square feet.

Chairman Stenehjem referred to an e-mail received from Representative Rick Berg who was unable to attend the meeting. In the correspondence, Representative Berg said the House of Representatives had two problems last session--the Government Operations Division of the Appropriations Committee hearing room is not handicap-accessible and the Government Performance Division of the Appropriations Committee met in the Brynhild Haugland Room or other areas but coordination was difficult. The two most practical options discussed during the session were converting the bill and journal room to a hearing room and a smaller more efficient bill and journal room. This would be adjacent to other hearing rooms and would be a better utilization of space. Another option would be to move the bill and journal room to the opposite side of the hallway to the public coat room. A suggestion was also made to change how the bill room functions by having a computer terminal for visitors to print out a bill as needed. A second option for a hearing room would be the House locker

room, by providing another coat room in the bill room through use of hangers or hooks for coats with some shelving and a coded lock to the area.

Chairman Stenehjem recessed the meeting for a tour of the House locker room, bill and journal room, public coat room, and stage area of the Brynhild Haugland Room. Committee members were unable to tour the stage area because a state agency was using the Brynhild Haugland Room. During the tour of the House locker room, it was noted that substantial work would be needed to replace the flooring because of the formed floor. During the tour of the bill and journal room, it was noted that a moveable, sound-deadening panel installed down the middle of the room--creating essentially two quarter-circle rooms--would provide flexibility in either having a large 1,320-square-foot room or two rooms of approximately 660 square feet. During the tour of the public coat room, it was observed that an efficient storage system would be needed but it appears that space would be available for a reduced scope bill and journal room.

Chairman Stenehjem reconvened the meeting in the Harvest Room.

Representative Klein suggested converting the entire bill and journal room into two committee rooms with handicap-accessible doorways and a moveable, sound-deadening panel down the middle of the room to create two quarter-circle committee rooms. He said this would solve the problem without totally remodeling the House locker room. He said the bill and journal room could be moved to the public coat room and a rollup window currently in the bill and journal room could be used to provide walkup service.

Representative Monson said Representative Klein's suggestion sounds fine, at least as the initial step to get an estimate for the two remodeling projects.

Representative Kelsh said he likes the idea of placing the rollup window in the coat room to provide for walkup service in the new bill and journal room. Representative Klein said there are coat racks dispersed throughout the legislative wing and this may be more feasible than trying to carve out a public coat room area from one of the committee room areas in the former bill and journal room. He said he was informed during the tour that any public coat room must now be fully enclosed so as to retard any fire or other hazard.

Senator Christmann said he has seen the coat room completely full of coats, even to the extent that coats are stacked on the counter and this should be kept in mind. He said any estimate for remodeling the two areas should include the cost of furnishing the rooms.

Chairman Stenehjem requested the Legislative Council staff to obtain cost estimates for remodeling the areas as suggested by Representative Klein, including a cost for furnishing the rooms.

SECRETARIAL, TELEPHONE MESSAGE, AND BILL AND JOURNAL ROOM SERVICES Historical Background

Chairman Stenehjem called on the assistant director to review the history of contracting for secretarial, telephone message, and bill and journal room services. The assistant director said during the 1993 legislative session the Senate and House employed 10.5 stenographers and typists at a cost of \$56,629.20. In addition, he said, the Senate and House each employed a chief stenographer and payroll clerk at a cost of \$14,326.59. Beginning with the 1995 legislative session, he said, the Senate and House shared a part-time payroll clerk and contracted with a private contractor to provide secretarial services at the following employee numbers and cost:

| Legislative Session | Employees | Cost |
|----------------------------|------------------|-------------|
| 1995 | 10 | \$46,053.50 |
| 1997 | 8 | \$41,462.50 |
| 1999 | 4 | \$32,564.47 |
| 2001 | 4 | \$24,975.97 |
| 2003 | 4 | \$23,634.13 |
| 2005 | 4 | \$29,630.59 |

The assistant director said private contractors have provided bill and journal room services beginning with the 1997 session. During the 1995 legislative session, he said, the Senate and House employed 12 bill and journal room clerks at a cost of \$57,170.61. Beginning with the 1997 legislative session, he said, private contractors have provided bill and journal room services at the following employee numbers and costs:

| Legislative Session | Employees | Cost |
|----------------------------|------------------|-------------|
| 1997 | 6 | \$39,160.00 |
| 1999 | 6 | \$38,840.00 |
| 2001 | 6 | \$49,750.00 |
| 2003 | 5 | \$29,559.59 |
| 2005 | 3 | \$21,988.86 |

The assistant director said the Senate and House employed eight attendants, two pages, and one chief telephone attendant to provide telephone message services during the 1999 legislative session at a cost of \$57,169.69. Beginning with the 2001 legislative session, he said, a private contractor provided telephone message services at the following employee numbers and costs:

| Legislative Session | Employees | Cost |
|----------------------------|------------------|-------------|
| 2001 | 9 | \$44,963.29 |
| 2003 | 9 | \$41,265.60 |
| 2005 | 5 | \$25,229.34 |

The assistant director said a single contractor provided secretarial and telephone message services

during the 2001 legislative session, and a single contractor provided secretarial, telephone message, and bill and journal room services during the 2003 and 2005 legislative sessions. He said the Legislative Management Committee prepares the requests for proposals for the services and makes recommendations prior to each legislative session. He said the chairmen of the Senate and House Employment Committees sign the contracts during the organizational session.

The assistant director said comparing employee numbers during the last session during which the Senate and House employed employees in the three service areas to the 2005 legislative session contract employee numbers shows a reduction from 35.5 employees to 12. He said the total cost of the three services beginning with the year all three services were contracted to a third party are:

| Legislative Session | Combined Services Cost |
|---------------------|------------------------|
| 1999 | \$128,574.16 |
| 2001 | \$119,689.26 |
| 2003 | \$94,459.32 |
| 2005 | \$76,848.79 |

The assistant director said the contractor provided a total of 12 employees during the legislative session. He said the telephone message center and secretarial service center were located in the same room and employees were assigned to each service area as needed. He said the number of employees assigned to the telephone message service was substantially reduced in 2005 based on estimates resulting from the decreasing use of the 1-800 service during legislative sessions. He said the number of calls to the telephone message service from North Dakota residents has decreased every session since 1993:

| Legislative Session | Number of 1-800 Calls |
|---------------------|-----------------------|
| 1993 | 62,320 |
| 1995 | 41,668 |
| 1997 | 28,433 |
| 1999 | 22,491 |
| 2001 | 19,478 |
| 2003 | 10,021 |
| 2005 | 6,282 |

Spherion Staffing

Chairman Stenehjem recognized Ms. Jennifer Horning, Branch Manager, and Ms. Karen Collins, Account Representative, Spherion Staffing, Bismarck, for a presentation regarding the secretarial, telephone message, and bill and journal room services provided by Spherion Staffing during the 2005 legislative session. Ms. Horning distributed a report entitled *2005 Legislative Assembly Review* for the combined secretarial service, message center, and bill and journal room. A copy of the report is on file in the Legislative Council office.

Ms. Horning said secretarial services were provided through one supervisor and three employees. She said actual legislative days staffed were 76. She said customer service assessment was added to the required skills testing for the 2005 session. She said pay rates were increased by 25 cents per hour to provide more qualified employees. She said secretarial services employees cross-trained to assist in the telephone message center and those employees helped out during periods of high call volume. She pointed out there was no turnover in secretarial services.

Ms. Horning said secretarial services prepared 154 speeches (and 598 copies), 106 press releases (and 358 copies), 29 charts (and 217 copies), 295 letters (and 643 copies), 49 faxes (and 162 copies), 65 mail merges (and 6,150 copies), and 6,300 miscellaneous documents (and 6,891 copies) during the 2005 legislative session. She said one member of secretarial services worked 51 hours transcribing House committee minutes.

Ms. Horning said the message center was staffed with five telephone attendants. She said actual legislative days staffed were 76. She said all five employees were cross-trained for the bill and journal room and message center employees did assist in the bill and journal room. She emphasized cost-savings were realized due to Spherion's ability to flex hours with time off and shortened workweeks during variable call volumes. She said pay rates were increased by 25 cents per hour to provide more qualified employees. In late March to early April, she said, Spherion transitioned 4 employees to other opportunities due to low call volume. She said there was one turnover of a telephone attendant early in the session and a replacement was promptly provided.

Ms. Horning said bill and journal room services were provided through one supervisor and two employees. She said the actual legislative days staffed were 76, and a supervisor worked 16 days before the legislative session and one day after the legislative session. She said cost-savings were realized due to Spherion's ability to flex employee hours and abbreviated work schedules to better manage workload requirements and individual needs. She said Spherion provided a fax and copy machine in the bill and journal room and total production during the legislative session was 1,717 copies and zero faxes and the total collected was \$429.25. She said the pay rates were increased by 25 cents per hour to provide more qualified employees, and there was no turnover in the bill and journal room.

Ms. Horning directed the committee's attention to the flexible scheduling described in the report and the statistics concerning the savings incurred by the Legislative Assembly as a result of flexible scheduling provided by Spherion Staffing during the 1999, 2001, 2003, and 2005 legislative sessions. She said the bid price to provide combined secretarial, telephone

message, and bill and journal room services during the 2005 legislative session was \$1,044.48 per day for 76 days, and an additional 15 days of providing bill and journal room services at a bid of \$1,387.20, for a total bid price of \$80,767.68.

Ms. Horning pointed out the actual amount billed by Spherion Staffing amounted to \$991.79 per day for 76 days and an additional 19 days of providing bill and journal room services at a cost of \$1,472.75, for a total billing of \$76,848.79. She emphasized that the Legislative Assembly saved \$3,918 because Spherion Staffing provided the services at a cost of \$76,848.79 rather than the bid amount of \$80,767.68.

Ms. Horning presented recommendations and suggestions as the result of experiences gained during the 2005 legislative session. With respect to the bid process, she said, consideration should be given to previous cost-savings and overall management of the staffing services for future bids versus using only the lowest bid price as the determining factor. In reality, she said, the lowest bid may not always be the best replacement for management expertise and experience. She said the real value is the cost-savings from the original bid by proactive employee management and scheduling. She said each bidder should disclose pay rates along with the actual bid amount because the hourly pay rate directly impacts turnover, quality of employees, and performance.

Ms. Horning presented staffing recommendations with respect to future legislative sessions. With respect to secretarial services, she recommended the same level of staffing. All four should be cross-trained to assist the message center with overflow during heavy call volume. She said more training should be provided on what legislators may request, e.g., on how to deliver finished requests to legislators and copies or templates of the most usual requests from legislators with specific instructions or format for testimony, floor speeches, press releases, and mail merges. She said a policy manual outlining specific formats for documents and the general legislative process would be helpful for the employees.

With respect to telephone message services, Ms. Horning recommended three employees rather than five employees. She said the afterhours message should be more specific and request the person to ask for a specific legislator or legislative district. Many callers do not know the district in which they reside, she said, and this makes it difficult to get the information to the appropriate legislator.

With respect to bill and journal room services, Ms. Horning recommended staffing levels continue at one supervisor and two assistants. Because the first 30 to 60 days are extremely busy, she said, an individual from the message center should be cross-trained to assist in the bill and journal room during its busiest times. She recommended a computer and printer be added to the bill and journal room to enable

employees to provide customers with the latest bill and most current hearing schedule. She said the fax machine was not used during the 2005 session and there is no need for a fax machine. As a result of speculation that the bill and journal room may be moved or reduced in size, she said, the employees believe that not more than one-fourth of the present bill room area could be eliminated.

Senator Stenehjem said much of the area of the bill and journal room is taken up by shelving units that are not space-efficient. He said using file cabinets rather than shelves could substantially reduce the area. In response to a question from Representative Monson, Ms. Horning said employees are used to the shelves but could learn to work with new methods.

Senator Christmann said the telephone message center did an excellent job, but one concern of his is that the names should be spelled correctly or more effort should be taken to get the exact name and address of constituents.

LEGISLATIVE SOUND SYSTEMS

2003-04 Sound System Enhancements

At the request of Chairman Stenehjem, the assistant director reviewed enhancements to the sound systems in the chambers during the 2003-04 interim. The assistant director said Community Access indicated there were problems with sound level and quality while providing coverage of the House and Senate floor sessions during the 2003 session. In March 2003, he said, Audio Systems, AVI Systems, provided an estimate of \$28,696 to upgrade the sound systems in both chambers by replacing two equalizers, two mixers, two amplifiers, and other equipment in order to reduce the hum and other noise affecting the quality of sound. He said the Legislative Assembly appropriated \$30,000 for the purpose of upgrading the sound systems in the House and Senate chambers.

As Audio Systems was starting the repairs during the interim, he said, they discovered problems with more than two mixers. He said Audio Systems suggested adding nine mixers to the contract at an added cost of \$8,152 and using those mixers to replace the nine mixers in the Senate. He said Audio Systems recommended that old and new mixers should not be mixed in the same system. He said Audio Systems suggested the replaced Senate mixers that worked could be used to replace the nonworking mixers in the House and any remaining mixers could be retained in reserve as needed. He said this was suggested as the least expensive way of determining whether the new analog/digital mixers would work in a chamber.

The assistant director said additional enhancements included adding microphone jacks to the Senate upper front desk area for the Budget Section meetings, adding volume controls to the microphone jacks in the upper front desk area, adding upgraded

media boxes at the back of the House and Senate chambers to provide additional media feeds, and synchronizing the sound coming from the speakers and the sound coming from the panels at the front desk area. He said the total costs for these repairs and enhancements was \$50,990.34, not including the cost of \$6,843 for miscellaneous repairs, e.g., repairing microphone switches and repairing microphones.

The assistant director said because of the problems being experienced by the House during the 2005 legislative session, the Legislative Assembly appropriated \$26,085 to replace the sound system mixers in the House chamber with digital mixers.

House Chamber Sound System

Chairman Stenehjem recognized Mr. Dean Eberle, Audio Systems Company, Bismarck, who presented information on replacing the analog mixers in the House with digital mixers. He said he provided an estimate during the 2005 legislative session of \$26,085 for 8 digital mixers and 15 front panel controls.

With respect to the 2003-04 enhancements to the chamber sound systems, Mr. Eberle said the microphones needed to be rewired, and the manufacturer of the mixers suggested that mixers could be repaired but that all new mixers be installed in one system rather than mixing new with old. He said the mixers used in the House are now going bad and the manufacturer no longer manufactures the chips for those mixers.

In response to a question from Representative Monson, Mr. Eberle said most of the microphone problems result from mixer input problems.

It was moved by Representative Monson, seconded by Representative Klein, and carried on a roll call vote that the Legislative Management Committee authorize the enhancements of the sound system in the House with the replacement of mixers with digital mixers as proposed by Mr. Eberle with any additional repairs as necessary. Senators Stenehjem, Christmann, and O'Connell and Representatives Kelsh, Klein, and Monson voted "aye." No negative votes were cast.

Use of Legislative Chambers

Chairman Stenehjem called on the assistant director to review the [Guidelines for Use of Legislative Chambers and Displays in Memorial Hall, North Dakota State Capitol](#).

The assistant director reviewed requests by the Land Department to use the House chamber on August 2 and November 1, 2005, and on February 7, May 2, August 1, and November 7, 2006, to conduct oil and gas lease auctions; a request by the North Dakota Supreme Court to use the House chamber on August 22 for the investiture of Justice Daniel J.

Crothers; and a request by the North Dakota High School Activities Association for use of the House and Senate chambers on November 2-3, 2006, and November 1-2, 2007, for the State Student Congress. He said the committee has approved similar requests in the past.

Senator Stenehjem said Representative Berg suggested only approving two dates for the oil and gas lease auctions to see the result of using the House chamber for the auctions before authorizing auctions in 2006. Senator Stenehjem said oil and gas lease auctions were conducted in the House chamber in the past but were discontinued because of the condition of the chamber after the auction. He said use of the chamber was initiated again in 2004 because of the prestige of holding an auction that results in substantial sums of money to the state.

It was moved by Representative Monson, seconded by Representative Klein, and carried on a voice vote that the committee approve the use of the House chamber on August 2 and November 1, 2005, to conduct oil and gas lease auctions; to approve the use of the House chamber on August 22 for the investiture of Justice Daniel J. Crothers; and to approve the use of the House and Senate chambers on November 2-3, 2006, and November 1-2, 2007, for the State Student Congress.

LEGISLATIVE RULES

Introduction Deadlines and Crossover Date

The assistant director reviewed [Proposed Amendment of Senate and House Rules 402\(1\) and Joint Rule 203\(1\)](#). He said the proposed rule change revises deadlines for introducing bills so that the deadlines continue to fall on Mondays in light of the Legislative Assembly convening on a Wednesday rather than a Tuesday in 2007. He said the proposed amendment to Joint Rule 203(1) maintains crossover on a Friday rather than on the 34th legislative day, which would otherwise be Monday, February 19--George Washington's Birthday. Without this change, the recess provided in Joint Rule 702 as the Monday and Tuesday following crossover would be February 26 and 27--a week after crossover.

Senator Stenehjem said before consideration is given to approving the proposed rules amendment, committee members should consider whether the deadlines should be reviewed in light of a possibility of keeping Wednesdays free as nonlegislative days in 2007. He said the Senate and the House could meet in floor sessions on Monday, Tuesday, Thursday, and Friday, and keep Wednesday solely for committee meetings. He said the three-day committees could continue to meet Wednesday morning and the two-day committees could begin meeting Wednesday afternoon. He said this would give more time to the two-day committees, which are pressed for time

during the session because of the pressure to adjourn early on Fridays.

Senator Christmann said the approval of the proposed rules amendment would give an indication to legislators and others about the expected two-day recess. Senator Stenehjem said if the proposed rules amendment is approved, people would look at that as a "permanent" change even though approval would be tentative. He said he does not want to foreclose consideration of revising legislative days so that Wednesdays would be free for committee meetings the entire day.

The assistant director said that in light of the discussion and without objection, the 2007 legislative deadlines could still be published, but with a note pointing out that the Monday deadlines and the projected Friday crossover date are based on rules amendments under consideration by the Legislative Management Committee rather than on amendments approved by the committee.

No further business appearing, Chairman Stenehjem adjourned the meeting at 2:30 p.m.

Jay E. Buringrud
Assistant Director

John D. Olsrud
Director

[ATTACH:1](#)