

# NORTH DAKOTA LEGISLATIVE MANAGEMENT

Minutes of the

## LEGISLATIVE PROCEDURE AND ARRANGEMENTS COMMITTEE

Tuesday, June 19, 2012  
Harvest Room, State Capitol  
Bismarck, North Dakota

Representative Al Carlson, Chairman, called the meeting to order at 8:00 a.m.

**Members present:** Representatives Al Carlson, David Drovdal, Lee Kaldor, Jerry Kelsh, Don Vigesaa; Senators Randel Christmann, Mac Schneider, Ryan M. Taylor, Rich Wardner

**Member absent:** Senator Ralph L. Kilzer

**Others present:** Jack McDonald, Independent Community Banks of North Dakota, Bismarck

Scott Rising, North Dakota Soybean Growers Association, Bismarck

Teri Finneman, Forum Communications, Bismarck

John Boyle, Facility Management Division, Bismarck

Jim W. Smith, Allen H. Knudson, Jason J. Steckler, Kyle W. Forster, Lori Ziegler; Legislative Council, Bismarck

**It was moved by Representative Vigesaa, seconded by Senator Wardner, and carried on a voice vote that the minutes of the March 2, 2012, meeting be approved as distributed.**

### USE OF LEGISLATIVE CHAMBERS AND COMMITTEE ROOMS

The Legal Services Division Director reviewed a request by Mr. Allan Stenehjelm, on behalf of North Dakota Girl Scouts, to use the House or Senate chamber for a legislative process and debate program during a Capitol grounds encampment in recognition of the 100<sup>th</sup> anniversary of the Girl Scouts of America on Saturday, July 14, 2012. He said a similar request was approved last interim to allow the Boy Scouts to use the House chamber on Thursday and Friday, June 4-6, 2010, in recognition of the 100<sup>th</sup> anniversary of the Boy Scouts of America.

The Legal Services Division Director reviewed a request by Mr. Brian Bubach, Assistant to the Executive Secretary, North Dakota High School Activities Association, to use the House and Senate chambers and legislative committee rooms for the North Dakota High School Activities Association State Student Congress on Thursday and Friday, November 7-8, 2013. He said the committee approved a previous request for use of the chambers and committee rooms for the student congress on November 1-2, 2012.

In response to a question from Representative Carlson, the Legal Services Division Director said any approval for use of the legislative chambers is

contingent on the renovation projects and voting system installation being completed.

**It was moved by Representative Kaldor, seconded by Senator Taylor, and carried on a roll call vote to approve the request by the Girl Scouts to use the House or Senate chamber for a legislative process and debate program on Saturday, July 14, 2012, subject to completion of the chambers' renovation projects and voting system installation; and the request by the North Dakota High School Activities Association to use the House and Senate chambers and legislative committee rooms on Thursday and Friday, November 7-8, 2013.** Representatives Carlson, Drovdal, Kaldor, Kelsh, and Vigesaa and Senators Christmann, Schneider, Taylor, and Wardner voted "aye." No negative votes were cast.

### CONTRACTS FOR SERVICES

#### Legislative Assembly Photography Services

The Legal Services Division Director reviewed a proposed [Invitation to Bid - Legislative Assembly Photography Services](#). He said the invitation is based on the 2010 invitation to bid. He said the invitation provides for the receipt of the bid by Friday, September 14, 2012, and will provide for acceptance of the bid after review by the Legislative Procedure and Arrangements Committee (which tentatively is scheduled to meet on Thursday, September 20, 2012, the day the Budget Section tentatively is scheduled to meet). He said there is no change in the specifications except for replacing dates with parallel timeframes in 2012 and 2013.

**It was moved by Senator Wardner, seconded by Representative Kelsh, and carried on a roll call vote to approve the contents of the invitation to bid for Legislative Assembly photography services.** Representatives Carlson, Drovdal, Kaldor, Kelsh, and Vigesaa and Senators Christmann, Schneider, Taylor, and Wardner voted "aye." No negative votes were cast.

#### Legislative Assembly Secretarial, Telephone Message, and Bill and Journal Room Services

The Legal Services Division Director reviewed a proposed [Invitation to Bid - Legislative Assembly Secretarial, Telephone Message, and Bill and Journal Room Services](#). He said the invitation is based on the 2010 invitation to bid with these revisions:

1. The description of the numbers and the types of documents is updated with 2011 information.
2. The bill and journal room will be open starting Monday, December 10, 2012.
3. The number of contract employees is reduced from 6 to 4.5, based on a recommendation from Spherion Staffing, the contractor in 2011.
4. A minimum hourly wage for the contract supervisor is set at \$12, and the minimum hourly wage for the contract employees is set at \$11.50, based on a recommendation from Spherion Staffing.
5. The bill and journal room will not be open Christmas Eve Day, Christmas Day, New Year's Eve Day, and New Year's Day.
6. Secretarial services will be available beginning at 7:00 a.m. daily.

The Legal Services Division Director said the proposed invitation to bid continues to provide for opening the bill and journal room beginning on the first Monday after the organizational session for purposes of organizing the room, receiving bills from the printer, and distributing bills.

**It was moved by Representative Drovdal, seconded by Representative Vigesaa, and carried on a roll call vote to approve the contents of the invitation to bid for Legislative Assembly secretarial, telephone message, and bill and journal room services.** Representatives Carlson, Drovdal, Kaldor, Kelsh, and Vigesaa and Senators Christmann, Schneider, Taylor, and Wardner voted "aye." No negative votes were cast.

#### **Bill and Journal Room - Photocopy Fee Policy**

The Legal Services Division Director reviewed a proposed [Bill and Journal Room - Photocopy Fee Policy](#). He said the policy is the same as that in place since the 2009 legislative session. He said the policy retains the 25 cents per page copying fee, which is not charged for photocopies of documents normally distributed to the public from the bill and journal room nor for making photocopies for legislators, House and Senate employees, and Legislative Council employees.

**It was moved by Senator Wardner, seconded by Senator Schneider, and carried on a roll call vote to approve the proposed photocopy fee policy for the bill and journal room.** Representatives Carlson, Drovdal, Kaldor, Kelsh, and Vigesaa and Senators Christmann, Schneider, Taylor, and Wardner voted "aye." No negative votes were cast.

#### **Bills, Resolutions, and Journals**

The Legal Services Division Director said the Central Services Division, Office of Management and Budget, prepares the invitation to bid for printing bills, resolutions, and journals and solicits the bids, but the contract is awarded as directed by the Legislative Council under North Dakota Century Code Section 46-02-05. He said the invitation to bid is in draft form

and is based on the 2010 invitation to bid with these revisions:

1. Figures for the estimated volume of the contract are updated to reflect 2011 costs;
2. The number of bills and engrossed bills printed is reduced from 175 to 165; and
3. The number of permanent journal indexes will be increased from 170 to 200.

The Legal Services Division Director said the reduction in the number of bills printed is based on the copies remaining after the 2011 legislative session, and the increase in session indexes is based on requests for the index. He requested that the committee affirm the decision to reduce the number of bills printed and increase the number of session indexes printed.

**It was moved by Senator Christmann, seconded by Representative Kaldor, and carried on a roll call vote to approve the decrease in the number of bills printed and the increase in the number of permanent journal indexes printed.** Representatives Carlson, Drovdal, Kaldor, Kelsh, and Vigesaa and Senators Christmann, Schneider, Taylor, and Wardner voted "aye." No negative votes were cast.

#### **LEGISLATIVE INFORMATION SERVICES**

##### **Legislative Document Subscription Program**

The Legal Services Division Director reviewed a memorandum entitled [Legislative Document Subscription Program](#). He said the memorandum reviews subscription fees for legislative documents during the 2011 legislative session and the cost of printing those documents. He said the memorandum also lists proposed fees for the 2013 legislative session. He said the practice has been to base subscription fees on the cost of printing the various documents during the previous session divided by the number of documents printed. He said the number of subscribers for the particular documents for 2011, the total number of subscribers (state agencies can receive the documents without charge), the 2011 subscription fees, and the cost of the number of legislative documents printed in 2011 are:

- Twenty-eight out of 57 entities paid \$315 each to pick up a set of bills and resolutions which included engrossed bills and resolutions, and one entity paid \$540 to receive a set by mail. The cost of printing 175 copies of introduced and engrossed bills and resolutions was \$43,469.47, or approximately \$248 per set.
- Eight out of 30 entities paid \$90 each to pick up a set of journals, and one entity paid \$230 to receive a set by mail. The cost of printing 150 copies of the journals was \$14,902.80, or approximately \$99 per set.
- Six out of 16 entities paid \$30 each to receive the journal index. The cost of printing 170 copies of the journal index was approximately \$5,573, or \$33 per index.

- Two entities paid \$350 to pick up the bill status report, and one entity paid \$490 to receive it by mail. The cost of printing 20 bill status reports was \$7,838.44, or approximately \$392 each.
- No charge was made for picking up daily calendars printed at a cost of \$20,589.24, 26 entities subscribed to pick up daily calendars, and no one paid \$70 to receive the calendars by mail.
- No charge was made for picking up committee hearing schedules (printed at a cost of \$7,281.05), 27 entities subscribed to pick up hearing schedules, and no one paid \$40 to receive the schedules by mail.

The Legal Services Division Director said the proposed 2013 legislative document subscription fees reflect the cost of printing the documents in 2011 divided by the number of documents. He proposed decreasing the subscription fee for receiving a set of bills and resolutions as introduced and engrossed and reengrossed from \$315 to \$250, increasing the subscription fee for receiving a set of the House and Senate Journals from \$90 to \$100, increasing the subscription fee for the index to the House and Senate journals from \$30 to \$35, increasing the subscription fee for the bill status report from \$350 to \$395, and maintaining the postage fee and other subscription fees at 2011 levels.

**It was moved by Representative Kaldor, seconded by Senator Wardner, and carried on a roll call vote that the committee approve the 2013 distribution program and the applicable fees as follows:**

- **A complete set of bills and resolutions as introduced and printed or reprinted, including a set of all engrossed and reengrossed bills and resolutions, be available from the bill and journal room only after payment of a subscription fee of \$250, with a set to be mailed only after payment of an additional fee of \$225.**
- **A complete set of daily journals of the Senate and House be available from the bill and journal room only after payment of a subscription fee of \$100, with a set to be mailed only after payment of an additional fee of \$140.**
- **The index to the House and Senate journals be available only after payment of a subscription fee of \$35.**
- **A printed bill status report be available from the bill and journal room only after payment of a subscription fee of \$395, with the report to be mailed only after payment of an additional fee of \$140.**
- **House and Senate daily calendars and weekly committee hearing schedules be available at no charge if picked up from the bill and journal room, but a set of House and Senate daily calendars be mailed by the bill**

**and journal room only after payment of a fee of \$70 and a set of weekly committee schedules be mailed by the bill and journal room only after payment of a fee of \$40.**

- **Representatives of the media as determined under Joint Rule 802 and state agencies and institutions be able to obtain copies of bills and resolutions, daily journals, daily calendars, and committee hearing schedules without payment of subscription fees. (State agencies will be encouraged to access the information on the legislative branch website.)**
- **Two copies of the bill status report be provided to the press room in the State Capitol without payment of subscription fees.**
- **No more than five copies of a limited number of bills and resolutions be obtained without charge as provided by Joint Rule 603.**

Representatives Carlson, Drovdal, Kaldor, Kelsh, and Vigesaa and Senators Christmann, Schneider, Taylor, and Wardner voted "aye." No negative votes were cast.

## **SESSION ARRANGEMENTS**

### **Organizational Session Agenda**

The Legal Services Division Director reviewed the [\*Tentative Agenda for the Legislative Organizational Session\*](#). He said the agenda was based on the 2010 organizational session agenda. He said the proposed agenda continues the convening of the organizational session at 1:00 p.m. to allow legislators to travel to Bismarck on Monday morning rather than on Sunday. He said the agenda also provides orientation classes for freshman legislators and computer training classes for veteran legislators beginning at 9:00 a.m. on Monday as was done in 2010. He said a major change is to add a computer distribution and training session for new legislators at 3:15 p.m. on Monday in addition to the traditional training sessions for new legislators on Wednesday. In addition, tablet training sessions have been added for returning legislators on Tuesday and Wednesday.

**It was moved by Representative Vigesaa, seconded by Senator Wardner, and carried on a roll call vote that the tentative agenda for the legislative organizational session be approved.** Representatives Carlson, Drovdal, Kaldor, Kelsh, and Vigesaa and Senators Christmann, Schneider, Taylor, and Wardner voted "aye." No negative votes were cast.

### **Addresses and Reports**

The Legal Services Division Director said the committee traditionally has authorized the Legislative Council staff to contact the Governor with respect to arrangements for the State of the State address to a joint session of the Legislative Assembly on the first

legislative day, to contact the Chief Justice with respect to a presentation of the State of the Judiciary address to a joint session on the second legislative day, and to extend an invitation to have a representative of the Indian tribes to address the Legislative Assembly on the third legislative day.

The Legal Services Division Director said Section 4-24-10 requires 14 agricultural commodity promotion groups to file a uniform report at a public hearing before the standing Agriculture Committee of each house. He said the report must be filed between the 1<sup>st</sup> and 10<sup>th</sup> legislative days. Since 2000, he said, the Legislative Procedure and Arrangements Committee has designated the second legislative day the Agriculture Committees meet as the day for a joint hearing by the Senate and House Agriculture Committees to receive this report. He said this day would be Friday, January 11, 2013.

The Legal Services Division Director said Section 4-35.2-04 requires the Agriculture Commissioner to submit a biennial report to a joint meeting of the House and Senate Agriculture Committees on the status of the pesticide container disposal program. He said this originally was a four-year program established in 2003, which was made permanent in 2007, with a report to be first given in 2009. Since 2009, he said, the Legislative Procedure and Arrangements Committee has determined this report should be presented on the same day the joint meeting is held to receive the agricultural commodity promotion groups report. He said this day would be Friday, January 11, 2013.

The Legal Services Division Director said Section 54-60-03 requires the Commissioner of Commerce to report between the 1<sup>st</sup> and 10<sup>th</sup> legislative days to a standing committee of each house of the Legislative Assembly as determined by the Legislative Management with respect to the department's goals, objectives, activities, measurable results, and commerce benchmarks. Since 2003, he said, this report has been given to the Industry, Business and Labor Committees on the second day those committees met. He said this day would be Monday, January 14, 2013.

**It was moved by Senator Wardner, seconded by Senator Taylor, and carried on a roll call vote:**

- **The Legislative Council staff be requested to contact the Governor with respect to the time for a joint session to hear the State of the State address by the Governor on the first legislative day (Tuesday, January 8, 2013), to contact the Chief Justice to make plans for the State of the Judiciary address to a joint session on the second legislative day (Wednesday, January 9, 2013), and to invite a representative of the Indian tribes to address a joint session on the third legislative day (Thursday, January 10, 2013);**
- **The second legislative day the Agriculture Committees meet (Friday, January 11, 2013) be designated as the day for a joint hearing**

**by the Senate and House Agriculture Committees to receive the report of the agricultural commodity promotion groups under Section 4-24-10;**

- **The second legislative day the Agriculture Committees meet (Friday, January 11, 2013) be designated as the day for a joint meeting by the Senate and House Agriculture Committees to receive the biennial report of the Agriculture Commissioner on the status of the pesticide container disposal program under Section 4-35.2-04; and**
- **The Commissioner of Commerce report to the Industry, Business and Labor Committees on the second day those committees meet (Monday, January 14, 2013).**

Representatives Carlson, Drovdal, Kaldor, Kelsh, and Vigesaa and Senators Christmann, Schneider, Taylor, and Wardner voted "aye." No negative votes were cast.

### Brief Bags

The Legal Services Division Director reviewed the policy of providing brief bags to legislators. He said leather-type brief bags have been authorized for legislators after each election since 1984. He said brief bags are provided on request to new legislators as well as holdover legislators. He said a request form is placed in the information packet distributed to new legislators during the organizational session. He said legislators who desire a brief bag need to return that request form to the Legislative Council office. He proposed that brief bags continue to be authorized for new and holdover legislators after each election upon the request of each legislator but the request form be included only in the packets for new legislators.

The Legal Services Division Director said a style different from that provided in 2010 has been suggested. He displayed an example of the proposed brief bag, which was a leatherette type, rigid-sided brief bag. He said the Great Seal would be embossed on one side, and the legislator's name would be embroidered below the Great Seal.

Representative Carlson said the Great Seal embossed in 2010 has "faded" to be almost invisible. He suggested that a more visible Great Seal be used.

In response to a question from Senator Schneider, Ms. Lori Ziegler, Legislative Administrative Officer, Legislative Council, said the approximate cost of the proposed brief bag, with the Great Seal and the legislator's name, is \$50.

### Legislator Stationery

The Legal Services Division Director reviewed the policy regarding stationery provided to legislators. He said each legislator is provided an option to receive no stationery, 250 sheets of regular (8.5 inches x 11 inches) or Monarch (7.5 inches x 10.5 inches) stationery and envelopes, 250 sheets of regular and 250 sheets of Monarch stationery and envelopes,

500 sheets of regular or Monarch stationery and envelopes, or 500 regular envelopes. He said the Speaker of the House, leaders, and assistant leaders receive as much regular and Monarch stationery as they need, and other legislators can request an additional 500 sheets of stationery and 500 envelopes.

The Legal Services Division Director said an electronic letterhead is provided to all legislators to use as a template so they can print correspondence on regular paper and envelopes. He proposed that legislators be provided with an electronic letterhead for use in printing letters and envelopes rather than receive stationery and envelopes through a contract printer.

Representative Kaldor said computers are provided to all legislators, and he sees no need for continuing to provide individualized stationery and envelopes when templates are provided for legislators to use through software on their computers.

### **Security Key Access to Capitol**

The Legal Services Division Director said security cards are provided to legislators to allow access to the Capitol outside regular business hours. He said the policy adopted in 2008 is that security access cards will be provided to legislators on request and upon a legislator signing a form acknowledging receipt of the card. He said a form notifying the legislator of the policy, containing the request for the card, and acknowledging receipt of a card is included in the information packet distributed to legislators during the organizational session.

### **Legislator Photo Identification Card**

The Legal Services Division Director said starting in 2010, each legislator was provided with a credit card-sized photo identification card containing the legislator's 2010 legislative photograph, the legislator's signature on file if an incumbent, the 1-888 session number, the Legislative Council office number, and the Legislative Council WATS line number. He said a photo identification card expires upon the expiration of the term of the legislator. Thus, he said, new cards will be issued to legislators elected in 2012.

### **Journal Distribution Policy**

The Legal Services Division Director reviewed the journal distribution policy. Since 2003, he said, the desk forces have announced to legislators that a legislator could have daily journals sent, without charge, to any person upon approval of the legislator's leader. He said the legislator also is requested to ask the person to whom the journals were to be sent whether that person had Internet access because the journals were available on the legislative branch website. He proposed that this policy be discontinued because of the distribution of journal information through the legislative branch website.

### **Legislators' Expense Reimbursement Policy**

The Legal Services Division Director reviewed the policy on items reimbursable as lodging expenses of legislators for the 62<sup>nd</sup> Legislative Assembly. Reimbursable expenses were utilities (electricity, heat, and water, including garbage collection and sewer charges), basic telephone service and telephone installation charges, and furniture (rental of furniture and appliances and transit charges for moving rental furniture and appliances). He said snow removal expenses also were covered during the 2011 legislative session.

The Legal Services Division Director said legislators must voucher the expenses, and the total reimbursable expense for lodging is limited by Section 54-03-20 to 30 times 65 percent of the daily lodging reimbursement in effect on August 1 of even-numbered years (estimated to be \$1,351) per calendar month. He said Section 54-03-20 also provides that lodging expenses of two or more legislators sharing lodging in a single dwelling could be subject to guidelines approved by the Legislative Management. He said the policy adopted in 2007 is that the lodging expenses of legislators sharing lodging are subject to approval of the Legislative Management chairman. During the 2011 legislative session, he said, 64 (78 in 2009) legislators stayed in motels and 59 (46 in 2009) stayed in other types of lodging. He proposed the expense reimbursement policy followed during the 2011 legislative session be continued through the 2013 legislative session.

### **Incoming WATS Line Service**

The Legal Services Division Director said incoming WATS lines have been provided for persons within the state to call toll free to the legislative telephone message center and either receive information on legislative activity or leave messages for legislators. He said callers do not receive any "busy" signal. If a line is busy during regular business hours, he said, the caller is given two options--one for staying on the line and one for leaving a message for legislators. He said the message feature is available 24 hours a day, 7 days a week. He proposed that the policy adopted in 2008 to the effect that messages could be left only for the caller's local legislators (legislators from the caller's district and legislators of the city of the caller) and for specifically named legislators identified by the caller be continued through the 2013 legislative session.

**It was moved by Representative Drovdal, seconded by Representative Kaldor, and carried on a roll call vote that for the 63<sup>rd</sup> Legislative Assembly:**

- **Security cards be provided to legislators on request upon signing a form acknowledging receipt of the card.**
- **A legislator photo identification card be issued to newly elected legislators with the card to have an expiration date of the last day of the term for the legislator.**

- Each legislator is entitled to a leather-style brief bag that includes the Great Seal and the name of the legislator, with the order form to be included in the information packet for new legislators.
- Rather than receiving stationery, each legislator is to receive a template for printing letterhead through the word processing and e-mail software installed on the legislator's computer.
- The journal distribution policy that a legislator may have daily journals sent without charge to any person upon approval of the legislator's leader be discontinued.
- The reimbursable lodging expenses for members of the 63<sup>rd</sup> Legislative Assembly include utilities (electricity, heat, and water, including garbage collection and sewer charges), basic telephone service and telephone installation charges, snow removal expense, and furniture (rental of furniture and appliances and transit charges for moving rental furniture and appliances), and lodging expense reimbursement of two or more legislators sharing housing in a single dwelling is subject to approval by the chairman of the Legislative Management.
- The incoming WATS line service be continued and under the policy that a caller may leave a message for the caller's local legislators (legislators from the caller's district and legislators of the city of the caller) and for specifically named legislators identified by the caller.

Representatives Carlson, Drovdal, Kaldor, Kelsh, and Vigesaa and Senators Christmann, Schneider, Taylor, and Wardner voted "aye." No negative votes were cast.

## LEGISLATIVE WING RENOVATION PROJECTS

Mr. Jim W. Smith, Director, Legislative Council, reviewed a memorandum entitled [Legislative Wing Improvements](#).

### Prairie Room Committee Table

Mr. Smith reviewed plans for a U-shaped conference table for the Prairie Room. He said the table would seat 17 and includes power and data grommets so as to provide access--the same as other committee room tables. He said the estimated cost is \$18,579, and the table would complete the table replacement in the committee rooms.

In response to a question from Representative Carlson, Mr. Smith said the table cost does not include a sound system, which is planned for a future enhancement.

### Ground Floor Study Area

Mr. Smith reviewed plans for a conference table and 10 committee room-style chairs, and furniture replacement, at an estimated cost of \$19,260, for the ground floor study area. He said the conference table and committee room-style chairs would be placed in the conference room in the northwest area of the ground floor study.

### Senate Balcony Areas

Mr. Smith reviewed plans for tables and chairs to be placed near the entrances to the Senate balcony, for use as session employee break areas. He said the approximate cost is \$3,512.

### Harvest and Roughrider Rooms Tables

Mr. Smith proposed that a table be placed in the Harvest Room and in the Roughrider Room to provide areas for materials that are available to meeting attendees. He said the approximate cost of both tables is \$1,135.

It was moved by Senator Wardner, seconded by Senator Schneider, and carried on a roll call vote to approve the projects as proposed--Prairie Room committee table replacement, ground floor study area improvements, Senate balcony areas tables and chairs, and Harvest and Roughrider Rooms tables. Representatives Carlson, Drovdal, Kaldor, Kelsh, and Vigesaa and Senators Christmann, Schneider, Taylor, and Wardner voted "aye." No negative votes were cast.

### Chamber Brass and Wood Refinishing

Mr. John Boyle, Director, Facility Management Division, reviewed the status of the wood and brass refinishing projects in the legislative wing. He said the House chamber is 95 percent complete and should be finished next week. He said the Senate chamber should be completed by the end of July.

### North Parking Lot Projects

Mr. Boyle said the estimate for the north parking lot projects--involving the loading dock, north and west Capitol access, west parking lot, and a northwest parking lot--was \$2.8 million, but the lowest bid, which was submitted by a nonlocal contractor, was \$5 million. He said the Capitol Grounds Planning Commission will be recommending a rebidding of the northwest parking lot, which will add approximately 280 parking spots. He said the intent is to do the project in phases and hopefully get a local contractor to bid. He said the Legislative Assembly may be requested to approve funding for the completion of the remaining phases during the 2013-15 biennium.

## LEGISLATOR COMPUTER USE POLICY

Mr. Kyle W. Forster, Information Technology Manager, Legislative Council, presented a revised [Policy on Use of Computers by Legislators](#). He said the policy is updated from the policy approved by the

Legislative Management in November 2010. He said the policy is updated to include references to tablet computers, provide for copying of legislator information to replacement computers, include a policy on purchase of old computers, add a "help" desk fee, and add a fee for acquiring a replaced computer.

Mr. Forster said the policy regarding purchase of replaced computers requires the acquiring legislator to have paid the computer usage fee for at least 12 months before the replacement, and the method followed by the State Surplus Property Division is followed--the computer will be provided without any software, i.e., without any operating system or other software. He said this is necessary to protect state licenses for the operating system and software on the replaced computer as well as eliminate the potential for legislative information to be transferred with the replaced computer. He said the recommended fee to purchase a replaced computer is \$100, which is approximately the same as the State Surplus Property Division has charged for other replaced computers.

Mr. Forster recommended the personal use fee remain the same--\$10 per month. He said 113 legislators pay the personal use fee.

Mr. Forster said the revised policy replaces references to the desktop support analyst rate of the Information Technology Department with respect to assistance to legislators who experience problems with nonlegislative software or hardware with references to a fee established by the Legislative Procedure and Arrangements Committee. He said the change is proposed because the department does not have a desktop support analyst rate. He recommended the fee be \$75 per hour.

In response to a question from Representative Kelsh, Mr. Forster said the Legislative Council information technology staff does provide assistance to legislators who are having problems with their nonlegislative software installed on the computers. He said he does not anticipate charging the fee, but having the ability to do so may discourage overuse of the Legislative Council staff for private issues. Representative Kelsh suggested that lowering the fee to \$50 and actually charging the fee may be a better deterrent.

**It was moved by Representative Kaldor, seconded by Representative Vigesaa, and carried on a roll call vote to approve the [Policy on Use of Computers by Legislators](#) and the computer usage fee of \$10 per month, the computer assistance fee of \$75 per hour, and the fee of \$100 to acquire a replaced computer.** Representatives Carlson, Drovdal, Kaldor, Kelsh, and Vigesaa and Senators Christmann, Schneider, Taylor, and Wardner voted "aye." No negative votes were cast.

## LEGISLATIVE RULES

### Joint Rule 801.1 - Recording of Proceedings

The Legal Services Division Director reviewed proposed [Joint Rule 801.1](#), which requires both

houses to record audio of floor proceedings; allows both houses to record video of floor proceedings; and requires the Legislative Council to provide the electronic media, to provide public access to the recordings through the legislative branch website, and to maintain access in accordance with the Council's records retention policy with respect to historical records. Under the records retention policy, he said, historical records are maintained permanently. He said a joint rule is proposed so both houses will operate under the same rule. He requested the committee to make a decision on audio and video recording of floor proceedings so that software, hardware, and services can be in place to record the floor proceedings during the 2013 legislative session.

Mr. Forster reviewed costs of providing audio recording capability. He said daily chamber audio recordings can be provided for approximately \$4,000 for the 2013 legislative session and \$5,100 for the 2015 legislative session. He said the audio recording would not be indexed, so if a person desired to listen to floor debate on a particular bill, the person would need to listen to the entire day's proceedings to find the debate on the bill.

Mr. Forster reviewed costs of providing audio and video recording capability. He said daily chamber audio and video recordings can be provided for approximately \$110,500 for the 2013 legislative session and \$21,000 for every two years maintenance and support. He said expanded storage at a cost of \$30,000 is expected to be required during the 2015-17 biennium. He said the audio and video would be indexed, allowing direct access to specific content within the recordings, e.g., searching a bill number would result in a listing of all recordings for that number which would allow direct access to the specific recording sought. He said the measure status information on the legislative branch website could include new links to the audio and video recordings at the point where the measure was acted on during the floor session.

In response to a question, Mr. Forster said the audio recordings could be indexed for a cost of approximately \$100,000.

Mr. Forster said future plans include audio and video recording meetings in committee rooms. He said each committee room could be wired for audio and video recording and Internet streaming for approximately \$27,000 per room. He suggested the Roughrider and Harvest Rooms be the first rooms to be provided with this capability. He said at least two interim committee chairmen have requested live streaming of certain committee meetings.

In response to a question from Representative Kaldor, Mr. Forster said committee meetings are recorded, but the proposed audio and video recording would provide an index to the recordings.

Representative Carlson said the audio and video recordings of chamber proceedings would make use of the video capabilities being installed in the chambers. He said this additional technology to index

and archive the audio and video would give more people direct access to legislative proceedings.

Senator Taylor said the audio and video recording of proceedings would give access to everyone, even those who cannot attend the proceedings in person.

In response to a question from Representative Carlson, Mr. Forster said a decision on installation at this meeting would give enough time for the installation of the audio and video in the House and Senate chambers for use during the 2013 legislative session.

**It was moved by Representative Kelsh, seconded by Senator Wardner, and carried on a roll call vote to approve the installation of audio and video in the Senate and House chambers as proposed and the installation of audio and video capabilities in the Roughrider and Harvest Rooms.** Representatives Carlson, Drovdal, Kaldor, Kelsh, and Vigesaa and Senators Christmann, Schneider, Taylor, and Wardner voted "aye." No negative votes were cast.

No further business appearing, Chairman Carlson adjourned the meeting at 9:30 a.m.

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Jay E. Buringrud  
Legal Services Division Director

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Jim W. Smith  
Director, Legislative Council