

NORTH DAKOTA LEGISLATIVE MANAGEMENT

Minutes of the

LEGISLATIVE MANAGEMENT COMMITTEE

Tuesday, March 17, 1998

River Valley Room, Memorial Union, University of North Dakota
Grand Forks, North Dakota

Representative John Dorso, Chairman, called the meeting to order at 12:45 p.m.

Members present: Representatives John Dorso, Merle Boucher, William E. Kretschmar; Senators Tony Grindberg, Gary J. Nelson, David E. Nething

Members absent: Representatives Tom D. Freier, Pam Gulleson; Senators Aaron Krauter, Tim Mathern

Others present: W. Jeremy Davis, University of North Dakota School of Law, Grand Forks

Ted Pedeliski, University of North Dakota, Grand Forks

Don Morton, North Dakota State University, Fargo
Carter Wood, Governor's Office, Bismarck

Vaughn Rhodes, Tvenge Associates Architects & Planners, Bismarck

Chairman Dorso announced that Senator Tim Mathern was in the building, but he would be unable to attend this meeting because he is chairman of the interim Budget Committee on Human Services, which was meeting in another room.

MINUTES

It was moved by Representative Kretschmar, seconded by Senator Grindberg, and carried on a voice vote that the minutes of the December 3, 1997, and February 18, 1998, meetings be approved as distributed.

LEGISLATIVE INTERNSHIP PROGRAM

At the request of Chairman Dorso, the director described the background of the legislative internship program. He said the program started in 1969 and over the years expanded to 16 interns--six from the University of North Dakota school of law, four from the University of North Dakota graduate school, and six from the North Dakota State University graduate school. He said problems were experienced during the 1993 legislative session, when two interns dropped out of the program and two former interns were hired as regular employees in order to complete the program. He said all three programs had difficulty providing the requisite number of interns for the 1995 Legislative Assembly. He said North Dakota State University provided none and the law school provided three. Although the University of North Dakota graduate school provided four interns, one was an undergraduate student and during the session, he said, one intern accepted a job and quit and then it was discovered that intern was not in the graduate

school program. Because of the insufficient number of interns, he said, no interns were provided to the caucuses, and the leaders were authorized to hire additional assistants to replace the interns.

As a result of this history, he said, no caucus interns were selected for the 1997 program which resulted in 12 interns being selected. He said elimination of caucus interns has worked to the benefit of the program because interns are no longer asked to identify with a political party, which identification could cause problems with subsequent assignments. Also, he said, the leaders had favorable experiences with additional assistants rather than being assigned interns.

Chairman Dorso opened the floor to comments from representatives of the universities. Dean W. Jeremy Davis, University of North Dakota school of law, said 130 law school students are eligible for the program, but he does not know how many are interested. He agreed with the decision to eliminate caucus interns. He said he would just as soon not have supervisory control over interns working with the caucuses.

In response to a question from Senator Nelson, Dean Davis said Professor Bott meets with the law school interns before they go to Bismarck, but he does not formally debrief the interns after the session. He said interns who are juniors are encouraged to relate their experiences at appropriate times during future courses.

In response to a question from Senator Nething, Dean Davis said the process for selecting interns is competitive, which is preferred because of the opportunity to select the best possible candidates for the program.

In response to a question from Representative Boucher, Dean Davis said 12 to 13 law students applied for the internship program for the 1997 Legislative Assembly. He said each applicant is interviewed and the applicant's academic record is reviewed, but the interview is the primary factor for determining who should do well in the program.

Mr. Don Morton, Assistant to the President, North Dakota State University, said Professor Robert Wood coordinates the program for North Dakota State University and has asked the office of the president to be involved in promoting the program. He said plans are to advertise for applicants and to solicit good candidates to ensure a good selection for the program.

Professor Ted Pedeliski, Department of Political Science and Public Administration, University of North Dakota, said it is very likely that one of the two University of North Dakota graduate school positions will be a graduate student in Bismarck. He said the graduate program has a number of students in Bismarck. He said an intern has to prepare a paper to get credit, and the paper is usually in an allied area. He emphasized that the interns also take two courses over the higher education interactive video network and must attend these courses in the evening at Bismarck State College.

In response to a question from Senator Nelson, Professor Pedeliski said each intern is subjected to an exit interview by the graduate director.

In response to a question from Representative Dorso, Professor Pedeliski said feedback from the interns has been very positive, especially when committees use the interns for research purposes.

Dean Davis said the law school interns also take courses over the interactive video network, and arrangements are made once the students are selected and assignments are given.

The director said each intern receives a stipend of \$4,725 for the three and one-half month program (\$1,350 per month). If the session goes beyond April 15, he said, the Legislative Council staff contacts the committee chairmen to determine whether each internship needs to be continued and, if so, the respective interns are employed on a daily basis until the end of the session. He said the amount of the stipend will be reviewed with Dean Davis to determine whether an increase could be made without jeopardizing accreditation of the law school. He emphasized that the internship program should be considered a learning experience rather than primarily an employment relationship.

It was moved by Senator Nething, seconded by Representative Boucher, and carried on a roll call vote that the legislative internship program be continued for the 1999 session on the same basis as it was for the 1997 session, but that the Legislative Council director be authorized to review the stipend for the program and make any recommendations for change to the committee at a future meeting. Representatives Dorso, Boucher, and Kretschmar and Senators Grindberg, Nelson, and Nething voted "aye." No negative votes were cast.

LEGISLATIVE CHAMBERS RENOVATION PROJECT

Status Report

At the request of Chairman Dorso, Mr. Vaughn Rhodes, Tvenge Associates Architects & Planners, Bismarck, described the status of the legislative chambers renovation project. He said the platform and front desk have been removed in the House and the front desk has been removed in the Senate. He said an unanticipated discovery was a large concrete beam running from east to west under the House

platform and duct work running over that beam. He said arrangements can be made to work around that beam without increasing the number of steps to the Speaker's level.

In response to a question from Senator Nelson, Mr. Rhodes said the desk cabinetry was transported to Minot to allow Minot Sash and Door to work with matching the materials and refinishing the materials as necessary to make the planned modifications to the House and Senate desks. He said this was included within the bid.

Chairs

Mr. Rhodes referred to a model chair brought to the committee meeting for final review by members. He said the chair is the chair as approved by the committee at its February meeting, including the height-adjustable back, and the color selected was beige to show how that chair would appear in beige.

Mr. Rhodes recommended that chairs for the Senate be covered in a burgundy-colored fabric and chairs for the House be covered in a blue-colored fabric. He said these fabrics were tested in the chambers and would draw out the brass in each chamber more so than a light-colored fabric would.

It was moved by Senator Grindberg, seconded by Representative Kretschmar, and carried on a voice vote that the committee approve the burgundy fabric for Senate chairs and the blue fabric for House chairs.

The assistant director inquired as to the disposition of the chairs in the House and Senate chambers. He said state agencies are required to dispose of surplus property according to surplus property laws, and under surplus property guidelines elected officials are allowed to take their office furniture with them when they leave office, and the Surplus Property Division determines whether there will be a charge and the amount of the charge. He said personnel at the Surplus Property Division suggested that legislators could be offered the option to purchase the chairs and the Legislative Council could determine any charge that would be appropriate. He said they suggested a chair in very good condition could sell for as much as \$50.

Representative Dorso noted the poor condition of many of the chairs and inquired as to the wishes of the committee.

It was moved by Representative Kretschmar, seconded by Senator Grindberg, and carried on a roll call vote that each legislator be given the option of purchasing one legislative chamber chair for \$25, that the option be exercised and the chair be removed from the chambers before April 15, 1998, and that any chairs not distributed under this option be transferred to the Surplus Property Division for disposal. Representatives Dorso, Boucher, and Kretschmar and Senators Grindberg, Nelson, and Nething voted "aye." No negative votes were cast.

Carpet

Mr. Rhodes distributed a carpet sample from Karastan-Bigelow, which was similar to the burgundy carpet in the Senate chamber. He also distributed a carpet sample from Milliken which was primarily burgundy in color but had a very subdued pattern including other colors.

Mr. Rhodes recommended Milliken carpet, the carpet originally selected by the committee when the bids were reviewed, because colors can be blended into a very subdued pattern, similar to the pattern shown to the committee. He said these colors would include the colors of the chairs in the appropriate chamber. He said the pattern would be so subdued it could be easily matched when piecing the carpet together. He said the actual color for the Senate would be burgundy and for the House would be blue, with appropriate subdued patterns made by colors matching the chairs.

It was moved by Senator Nething, seconded by Representative Kretschmar, and carried on a voice vote that the committee accept Milliken carpet as the brand of carpet, with blue as the base for the House and burgundy as the base for the Senate, and the carpet is to feature a subdued pattern recognizing the colors of the chairs in the chambers.

In response to a question from Representative Dorso, Mr. Rhodes said suggestions for treatment of the steps in each chamber are being reviewed. He said personnel at Interiors by France, Bismarck, have proposed patterns on each landing as a means to distinguish each step. Once the carpet is selected and a large sample can be made, he said, there may be a better idea as to how patterns or moldings could be used to separate the steps. Representative Dorso said something needs to be done to separate the steps because of the problems the odd-sized landings cause in people walking up or down the steps. Senator Nelson requested that alternatives also be reviewed for recommendations with respect to the Senate steps.

Gateway Ropes

The assistant director said the current velvet ropes used to prevent entrance beyond the brass rails are in need of replacement. Also, he said, during the interim a string cord is extended from the wall to the brass railing to prevent access to the entire chambers. He suggested that these ropes and string cords be replaced with velvet ropes to match new color schemes in the Senate and House. He said the cost is estimated to be \$2,461.

It was moved by Senator Nelson, seconded by Representative Boucher, and carried on a roll call vote that the committee authorize the replacement of the velvet ropes used between the brass railings and installation of velvet ropes across the areas behind the brass rails in each chamber. Representatives Dorso, Boucher, and Kretschmar and Senators Grindberg, Nelson, and Nething voted "aye." No negative votes were cast.

LEGISLATIVE ARRANGEMENTS

Doctor of the Day Program

The assistant director reviewed a letter from Mr. David Peske, Director of Governmental Relations, North Dakota Medical Association, offering the services of physicians during the 1999 Legislative Assembly under the doctor of the day program. He said plans are to provide formal blood pressure and cholesterol screening to legislators in early January and again toward the end of the session so legislators could compare their early session and late session readings if they so desire.

Senator Nelson pointed out that today is the one-year anniversary of a doctor of the day being instrumental in saving the life of a member of the Senate during the 1997 session. Senator Nething heartily concurred with that observation.

It was moved by Senator Nelson, seconded by Senator Nething, and carried on a voice vote that the committee accept the offer of the North Dakota Medical Association to continue the doctor of the day program during the 1999 legislative session with facilities the same as had been arranged during the 1997 session.

Legislative Guests

Representative Boucher inquired whether the front row in the House would be reserved for legislative guests. Representative Dorso said this would require a rules change, and he requested the Legislative Council staff to prepare an appropriate rules amendment of House Rules 359 and 360, reserving the front row of one section at the front of the House chamber for legislative guests.

Sound System

Senator Nelson referred to a letter he had received providing an estimate of \$2,385 to replace the amplifier and expand the legislative sound system for speaker access throughout the Capitol. He requested the Legislative Council staff to review other options and technologies, e.g., wireless FM transmission, so that the committee would be aware of alternatives to upgrading outmoded technology.

Representative Dorso said the executive branch should be invited to come to the committee with a proposal for providing access throughout the Capitol. He said the executive branch should determine access by executive agencies under an executive branch policy of access. He said the executive branch could then deal with these requests or provide a system eliminating the need for reviewing requests on a case-by-case basis. He said this committee should not be wasting time talking about whether specific agencies receive audio transmission of floor sessions.

Senator Nething suggested that the Facility Management Division be contacted with respect to whether a policy is to be developed by the executive branch based on current and future needs of the

executive branch, after which the method of providing access could be approved by the committee.

Use of Legislative Committee Rooms

The director referred to a letter he had received from the Facility Management Division regarding individual legislators requesting legislative committee rooms to be reserved for scheduled use by private groups. He inquired as to the appropriateness of individual legislators reserving committee rooms for use by private groups, and he inquired as to whether the committee wanted to pursue this issue.

Representative Dorso requested the Legislative Council staff to prepare a policy governing use of legislative committee rooms under parameters that during the legislative session the Speaker of the House or the President Pro Tempore must approve any use of committee rooms other than for legislative committee business and during the interim any scheduled use of legislative committee rooms by outside groups must be approved by the Legislative Management Committee.

USE OF LEGISLATIVE CHAMBERS

The director reviewed a letter from the North Dakota Leadership Seminar (the Hugh O'Brian Foundation) requesting use of the chambers on May 30. Mr. Rhodes said the legislative renovation work would not be completed by that time. He said June 15 was set as the preliminary completion date, and it was expected the Senate chamber would be completed in time for the Silver-Haired Legislative Assembly on August 4-6, 1998. It was the consensus of the committee that the director inform the North Dakota Leadership Seminar that the chambers would not be available on May 30.

The director said he had received a request from the North Dakota Silver-Haired Education Association to move the date of the Silver-Haired Legislative Assembly to either the week before or the week after August 4-6. Mr. Rhodes expressed reservations about ensuring that the Senate chamber would be ready before August 1.

No further business appearing, Chairman Dorso adjourned the meeting at 2:00 p.m.

Jay E. Buringrud

Assistant Director

John D. Olsrud
Director