

NORTH DAKOTA LEGISLATIVE COUNCIL

Minutes of the

LEGISLATIVE MANAGEMENT COMMITTEE

Monday, November 8, 2004
Harvest Room, State Capitol
Bismarck, North Dakota

Senator Bob Stenehjem, Chairman, called the meeting to order at 1:00 p.m.

Members present: Senators Bob Stenehjem, Randel Christmann, Michael A. Every, David P. O'Connell, Herb Urlacher; Representatives Rick Berg, LeRoy G. Bernstein, Merle Boucher, David Monson

Members absent: Representative Eliot Glassheim

Others present: Beth Christmann, Hazen Kathy Bernstein, Fargo
Jack McDonald, Mary Van Sickle; Community Access Television, Bismarck

Maryann F. Trauger, Karen J. Mund; Legislative Council, Bismarck

It was moved by Representative Berg, seconded by Senator O'Connell, and carried on a voice vote to approve the minutes of the October 4, 2004, meeting of the committee.

LEGISLATIVE SESSION ARRANGEMENTS

Legislators' Stationery

The assistant director reviewed the policy regarding stationery provided to legislators, as approved by the committee in October. He said each legislator can choose to receive none, 250 sheets of Monarch stationery, 500 sheets of Monarch stationery, 250 sheets of regular stationery, 500 sheets of regular stationery, or 250 sheets of Monarch and 250 sheets of regular stationery, and appropriate-sized envelopes. He said each legislator is entitled to an additional 500 sheets of stationery. He said the Speaker of the House, leaders, and assistant leaders will be provided with the initial option the same as other legislators, but are entitled to as much Monarch or regular stationery as needed.

The assistant director reviewed the bids received for providing legislators' stationery. Because of the variety of options available to legislators, he said, the bid was relatively complex in that it provided for 14 different options. He said five responses to the request for proposals were received. He said it appears Quality Printing Service, Inc., is the lowest bidder. He said Quality Printing Service did not provide a price for providing Monarch stationery for the nine leaders. It was noted that the Quality Printing Service bid prices were very close to those provided

by The Printers and attributing a price similar to The Printers to Quality for the omitted item still would result in a low bid.

It was moved by Representative Berg, seconded by Senator Christmann, and carried on a roll call vote that the committee recommend accepting the bid of Quality Printing Service, Inc., for providing legislators' stationery. Senators Stenehjem, Christmann, Every, O'Connell, and Urlacher and Representatives Berg, Bernstein, Boucher, and Monson voted "aye." No negative votes were cast.

Legislators' Computer Use Policy

The assistant director reviewed the *Policy on Use of Personal Computers by Legislators*, which was adopted by the Legislative Management Committee in June 1997. He described two proposed changes to the policy. When the policy was first established, he said, a maximum of 60 hours per month for Internet access was included in the policy as a means of limiting the expense of using the WATS line to connect to the state network at 10 cents per minute. Because legislators are being provided DSL or other high-speed connection service through local Internet service providers, he said, this 60-hour per month maximum is obsolete and thus is being proposed for removal from the policy.

The assistant director said a legislator may obtain training, installation service, and other support services for hardware not provided by the Legislative Assembly or Legislative Council and for software not installed by the Legislative Council upon payment of a fee established by the Legislative Management Committee. He said the committee has not established a fee. He said the proposed change is to provide that the fee be equivalent to the desktop support analyst rate of the Information Technology Department and that the request for service must be for service with respect to software or hardware of which the Legislative Council staff has experience or knowledge.

It was moved by Representative Monson, seconded by Representative Berg, and carried on a roll call vote to approve the revised *Policy on Use of Personal Computers by Legislators* as proposed. Senators Stenehjem, Christmann, Every,

O'Connell, and Urlacher and Representatives Berg, Bernstein, Boucher, and Monson voted "aye." No negative votes were cast.

Organizational Session Agenda

The assistant director reviewed the organizational session agenda. He said the agenda includes two changes approved by the committee in October--an addition of 15 minutes for a presentation by Representative Klemin and Senator Trenbeath on uniform state laws at approximately 10:15 a.m. on Tuesday, December 7, and a presentation of approximately 15 minutes on sexual harassment from representatives of the Human Resource Management Services at approximately 1:45 p.m. on Tuesday, December 7.

Legislative Session Employee Numbers and Compensation

The assistant director reviewed a memorandum entitled *Legislative Assembly Employee Positions and Compensation*. The memorandum provides information on the number of employee positions during the 1993 through 2003 legislative sessions and reviews a proposed number of employee positions for the 2005 legislative session. The assistant director said the proposed number of employee positions for the 2005 legislative session is based on the committee's recommendation for the 2003 legislative session--34 Senate employees and 40 House employees. During the 2003 legislative session, he said, the House added an assistant sergeant-at-arms for approximately four hours per day (while the Legislative Assembly was in session). In addition, the House employed an additional page and bill book clerk, but on January 17 one page and bill book clerk was transferred to the House minority leader's office as a staff assistant in place of a staff assistant who terminated employment. He said that page and bill book clerk position was not filled for the remainder of the session.

Senator Christmann said the Senate seems to need more than two pages and bill book clerks. Representative Berg said the committee should recommend the number of employee positions that are necessary to accomplish the work.

It was moved by Senator Christmann and seconded by Senator O'Connell that the employment positions be increased by one Senate page and bill book clerk, for a total of three Senate pages and bill book clerks, and that the number of employee positions recommended for the 2005 legislative session be 35 Senate employees and 40 House employees. In response to a question from Representative Berg, Representative Boucher said he would support the addition of a page and bill book clerk position in the House if there is a need for an additional page. He said he does not support adding a position if the work does not require an

additional position. After this discussion, **the motion carried on a roll call vote.** Senators Stenehjem, Christmann, Every, O'Connell, and Urlacher and Representatives Berg, Bernstein, Boucher, and Monson voted "aye." No negative votes were cast.

Representative Berg said it is getting more difficult to employ qualified individuals as Legislative Assembly employees. He said a factor may be the pay level and there is a need to increase the pay levels from those provided during the 2003 legislative session, possibly by 5 percent, and he would support such a motion. He said although state employees did not receive general pay increases this biennium, they did benefit from a substantial increase in health insurance costs. He said temporary legislative employees do not benefit from those increases.

It was moved by Senator O'Connell, seconded by Representative Berg, and carried on a roll call vote that the daily salaries of Legislative Assembly employees during the 2005 legislative session be increased by 5 percent, rounded to the nearest dollar, and that the pay resolution continue the alternating positions between the Senate and House--the House to employ the payroll clerk and the parking lot attendant and the Senate to employ the supply room coordinator and the information kiosk attendant--and continue the provisions on part-time pay, session recognition pay, and staff assistant consolidation. Senators Stenehjem, Christmann, Every, O'Connell, and Urlacher and Representatives Berg, Bernstein, Boucher, and Monson voted "aye." No negative votes were cast.

Video Coverage of Legislative Session

Chairman Stenehjem recognized Ms. Mary Van Sickle, Executive Director, Community Access Television. Ms. Van Sickle distributed a proposal by Community Access Television for providing a video signal to enable streaming of legislative action over the Internet. A copy of the proposal is attached as an appendix.

Ms. Van Sickle proposed that Community Access Television would provide a digital camera and camera operator for a minimum of two hours each day for a minimum of 80 days. The Legislative Assembly is to provide the video input, a secure area for equipment storage, and daily guidance and direction for the camera operator as to daily start time; which activity to cover in the House and Senate chambers or the Brynhild Haugland Room; and whether transmission is to be continued beyond two hours per day. The proposal was for \$30 per hour for labor--\$4,800 minimum--and \$50 per day equipment--\$4,000 minimum.

In response to a question from Representative Berg, Ms. Van Sickle said the reasons for not continuing the regular coverage of floor sessions was the cost to Community Access Television, the

sporadic nature of floor sessions, the difficulty in finding air time, and the inability to provide coverage of committee meetings.

In response to a question from Representative Monson, Ms. Van Sickle said the maximum cost would be subject to the determination by the Legislative Assembly as to what to cover beyond two hours per day. She emphasized that the camera operator is limited to the legislative chambers and the Brynhild Haugland Room because the wiring for video coverage is in those three areas.

Senator Stenehjem inquired who the decision-maker would be in determining what to cover each day. Ms. Van Sickle said this would be up to someone knowledgeable about what will happen each day so that knowledge can be provided to the camera operator. Senator Stenehjem said there are people in the Senate who know what will happen each day and that information can easily be provided to Community Access Television.

Representative Berg said providing a videostream over the Internet is positive and should not be viewed as promoting politics. He said the Legislative Management Committee should work toward providing public access, but access needs to be done in an economical manner.

Chairman Stenehjem recognized Mr. Jack McDonald, board member of Community Access Television. Mr. McDonald said the board feels quite strongly about providing video coverage of the Legislative Assembly. Televising proceedings over the local access channel, he said, provides that information only to the Bismarck-Mandan area but providing videostreaming over the Internet provides that information worldwide.

Representative Berg questioned whether the Legislative Assembly could acquire video equipment and assign that to a Legislative Assembly employee to take the video signal.

It was moved by Representative Boucher and seconded by Senator Every that the four legislative leaders work with representatives of Community Access to determine if arrangements can be made for providing a video signal to allow streaming over the Internet during the 2005 legislative session.

Senator Stenehjem said his concern with hiring an individual to provide the camera work is that coverage could turn political, especially with flattering or unflattering video images. Ms. Van Sickle said 25 states have guidelines on camera operators and normally those guidelines are set by a private, nonprofit organization.

Senator Christmann said his concern is the appearance of spending taxpayer money for publicity purposes. Representative Bernstein said he does not agree that video coverage of the Legislative Assembly is for publicity purposes. He said video coverage provides information to the people of the state.

Senator Stenehjem said the problem with just viewing floor sessions is that the public does not see the committee work that is behind five minutes of floor action. Ms. Van Sickle said Community Access broadcasts a substantial amount of local government meetings which show the work of the local governing bodies and the people lined up to testify. It was noted that local governing bodies take testimony and engage in discussion of issues which is more similar to committees than the Senate or House discussion of issues after committees take testimony and recommend actions. Senator Urlacher agreed that the essential action is in committees and he said he would like to see coverage of committee activity.

After this discussion, **the motion carried on a voice vote.**

Chairman Stenehjem requested the Legislative Council staff to work with Community Access to set up a meeting with the four leaders.

LEGISLATIVE INFORMATION TECHNOLOGY Microsoft Office

Ms. Maryann F. Trauger, Manager, Information Technology Services, Legislative Council, presented information on the costs of replacing Lotus SmartSuite software with Microsoft Office 2003 Standard Edition. She said the cost would be \$238.36 per user for 160 users in the Legislative Assembly (for a total of \$38,137.50) and with the software assurance the cost would be an additional \$207.85 per user (for a total of \$71,393.60). She said software assurance would allow the payments to be spread over three years, would allow new version rights during the term of the agreement (three years), and would allow a home-use program. She said the issues for replacing Lotus SmartSuite primarily involve conversion of Lotus Word Pro and Lotus 1-2-3 documents on legislators' notebook computers. She said the conversion software recommended by Microsoft does not work because the version of Lotus SmartSuite used by the legislative branch is newer than the version converted by the conversion software. She recommended that if a change is made to Microsoft Office, Lotus SmartSuite continue to reside on legislator notebook computers until the transition has been completed, up to a maximum of one year. She said the cost of licensing Lotus SmartSuite is \$49.34 per user per year.

Ms. Trauger said if Microsoft Office 2003 Standard Edition is approved for installation on legislators' notebook computers and on computers of certain Legislative Assembly employees, it is recommended that leadership, leadership staff, secretarial services, and new legislators be migrated to Microsoft Office 2003 first so as to eliminate the need to train those individuals on Lotus SmartSuite and then retrain for Microsoft Office 2003. She said further deployment would continue on a first-come sign-up basis starting

with the convening of the regular session in January 2005.

In response to a question from Representative Berg, Ms. Trauger said the recommendation for Microsoft Office 2003 is that it be the standard version, without software assurance, because the state contract provides for two-year upgrade protection and there would be little need for legislators to install Microsoft Office on other home computers because legislators have notebook computers. She said she would recommend the installation of Microsoft Office 2003 Standard Edition without software assurance, for a cost of \$38,137.60 for 160 users.

It was moved by Representative Berg, seconded by Representative Monson, and carried on a roll call vote that the committee recommend and authorize the installation of Microsoft Office 2003 Standard Edition on legislators' notebook computers and the personal computers used by leadership staff and secretarial services personnel. Senators Stenehjem, Christmann, Every, O'Connell, and Urlacher and Representatives Berg, Bernstein, Boucher, and Monson voted "aye." No negative votes were cast.

Wireless Computer Connections in Capitol

Ms. Trauger provided an update on the status of wireless networking in the legislative wing. She said there are wireless access points near the press room, Missouri River Room, Senate chamber, and Legislative Council library. She said other access points in the State Capitol are on the ground floor, first floor, and third floor. She said each access point will handle between 25 and 50 users. She said when there are more than 50 users, there may be performance degradation.

Ms. Trauger said if legislators have home networks and wireless cards in their notebook computers for those networks, those legislators may be able to connect to this wireless network if they are near the access point. She said the wireless network permits access to the Internet and a legislator may also access e-mail using Outlook Web Access 2003 or the VPN Client with the Outlook Client that is on the legislator's notebook computer.

She said she is bringing this to the attention of the leadership because security issues, broadband capacity, and slow connection speeds need to be

resolved before it is recommended that legislators use this network.

Publication of Legislative Rules Book

The assistant director referred to a memorandum entitled *Legislative Rules Changes Approved by the Legislative Management Committee*. He said the memorandum compiles the legislative rules changes approved by the committee.

The assistant director said the rules book has been republished before each session to incorporate rules changes approved at the organizational session, to renumber rules as appropriate, and to make style and grammar changes as necessary. He said unless there is an objection by committee members, the rules book will be republished with appropriate correction of the obsolete references, renumbering of rules, and correction of grammatical and typographical errors.

It was moved by Senator O'Connell, seconded by Senator Christmann, and carried on a roll call vote that the chairman and the staff of the Legislative Council be requested to prepare a report, recommended rules amendments, and bill draft recommended by the committee and to present the report, rules amendments, and recommended bill draft to the Legislative Council. Senators Stenehjem, Christmann, Every, O'Connell, and Urlacher and Representatives Berg, Bernstein, and Monson voted "aye." No negative votes were cast.

No further business appearing, Chairman Stenehjem adjourned the meeting sine die at 3:30 p.m.

Jay E. Buringrud
Assistant Director

John D. Olsrud
Director

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