

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2001

2005 SENATE APPROPRIATIONS

SB 2001

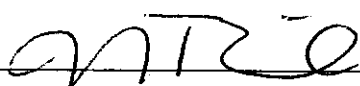
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2001

Senate Appropriations Committee

☐ Conference Committee

Hearing Date **01/24/05**

Tape Number	Side A	Side B	Meter #
1	X		63-4,000
Committee Clerk Signature 			

Minutes: **Chairman Holmberg** opened the meeting on SB 2001.

**John Olsrud, Director, Legislative Council (175)** appeared to provide an overview of SB 2001, stating that he is speaking for the entire legislative assembly. Mr. Olsrud presented the Legislative Assembly's and the Legislative Council's appropriation. Mr. Olsrud stated that they are asking for a 77-legislative-day, instead of the 80 days offered in the NDCC. Written testimony was provided, in the testimony Mr. Olsrud went over salaries and Wages, which is \$5.7 million, Operating Expenses which is approximately \$3 million, for the Legislative Assembly see appendix I. He also went over salaries and wages which is \$5.2 million, operating expenses, which is \$2.4 million, capital assets, which is \$41,000 and other related bills for the Legislative Council. Mr. Olsrud presented the committee with a legislative Application Analysis which updates information technology, leaving the current system. This analysis was submitted by Enterprise Solution, Inc., included is an executive summary, and overview, findings and recommendations, critical success factors, finally conclusions and next steps, see appendix II.

Mr. Olsrud stated that the current mainframe system dates back to 1969, at that time ND had the best system in the country. Today however, it is outdated and in need of being updated. After conducting research, discussing implementations with other state, and reviewing potential vendor tools and solutions, the recommendation for replacing the legislative systems within ND is to purchase Commercial off the Shelf (COTS) components as much as possible. Through systems integration efforts, a robust solution will be developed using modern tools, languages, and techniques. All Legislative Session applications (Bill Drafting, Bill Status, LAWS, ect) and miscellaneous applications (Lotus Notes applications, Document Preparation, ect) should be considered for replacement together, over the next two biennia. Some of the miscellaneous applications would be in production prior to the 2007 session and all the Legislative Session applications would be in production prior to the 2009 session. Although the Administrative Code and Budget Status systems should not be replaced at this time, they will be more tightly integrated with the new systems. Mr. Olsrud also stated that ITD should be considered as a valuable resource to provide data conversion services, technology guidance, application development and ongoing support.

**Sen. Bowman: (1680)** Do you look at other states that have implemented new systems, and try to implement their process into ND?

**Mr. Olsrud:** That is exactly how we started with this. We can't find anyone who does it the way we do. ND has a nonpartisan central staff.

Questions were raised regarding leasing copy machines, updating sound systems in committee rooms, and adding more space for committees.

Page 3  
Senate Appropriations Committee  
Bill/Resolution Number SB 2001  
Hearing Date 01/24/05

**Sen. Mathern:** I am concerned that we are not fully using our technology. Could we have computers just for the time when we are in session?

**Mr. Olsrud:** That is something that you as legislatures need to decide.

**Sen. Thane:** When we switched over to high speed Internet, I had to pay for the switch in my house.

**Mr. Olsrud:** I need to ask Maryann

**Maryann Trauger:** Give us the receipt, and we will pay for it.

**Sen. Andrist (3370):** Are any of our interim committees having interactive meetings?

**Mr. Olsrud:** We have had telephone meetings, the budget section last biennium had an interactive meeting.

**Sen. Bowman: (3619)** Is there going to be a time when we can turn projects to or colleges instead of hiring consultants?

**Mr. Olsrud:** We are hoping that our IT department can do that for us.

No further questions were asked of Mr. Olsrud.

**Vice Chairman Bowman** closed hearing on SB 2001

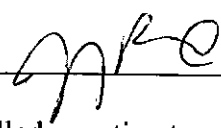
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2001

Senate Appropriations Committee

☐ Conference Committee

Hearing Date 02/11/05

Tape Number	Side A	Side B	Meter #
1		X	4,477-4880
Committee Clerk Signature 			

Minutes: **Chairman Holmberg** called meeting to order on SB 2001.

**Chairman Holmberg** proposed amendment, he went on to explain the amendment by reading it aloud. Motion on the amendment was made by Sen. Fischer, seconded by Sen. Grindberg.

Discussion occurred between Chairman Holmberg, and Sen. Mathern regarding hiring a consultant for the possible new computer program. A voice vote was taken, Sen. Mathern voted no, amendment carried. A **DO PASS as AMENDED** motion was made by Sen. Bowman, seconded by Sen. Grindberg. Votes were 12 yeas, 0 nays, and 3 absent. Sen. Mathern will be caring the bill.

Date 2/1/05  
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2001

Senate SENATE APPROPRIATIONS Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass As Amended

Motion Made By B Seconded By G

Senators	Yes	No	Senators	Yes	No
CHAIRMAN HOLMBERG	/		SENATOR KRAUTER		
VICE CHAIRMAN BOWMAN	/		SENATOR LINDAAS	/	
VICE CHAIRMAN GRINDBERG	/		SENATOR MATHERN	/	
SENATOR ANDRIST	/		SENATOR ROBINSON	/	
SENATOR CHRISTMANN	/		SEN. TALLACKSON	/	
SENATOR FISCHER	/				
SENATOR KILZER	/				
SENATOR KRINGSTAD	/				
SENATOR SCHOBINGER	/				
SENATOR THANE	/				

Total (Yes) 12 No 0

Absent 3

Floor Assignment Mathern

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**SB 2001: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2001 was placed on the Sixth order on the calendar.

Page 2, after line 6, insert:

"Capital assets

100,000"

Page 2, line 7, replace "10,226" with "10,226"

Page 2, remove line 8

Page 2, line 9, replace "4,556,700" with "456,700"

Page 2, line 12, replace "273,831" with "255,125"

Page 2, line 16, replace "65,740" with "47,034"

Page 2, line 17, replace "4,622,440" with "503,734"

Page 2, line 28, replace "6,000" with "106,000"

Page 2, line 29, replace "177,750" with "177,750"

Page 2, remove line 30

Page 2, line 31, replace "13,117,952" with "9,017,952"

Page 3, line 3, replace "5,189,860" with "5,171,154"

Page 3, line 6, replace "7,598,596" with "7,579,890"

Page 3, line 7, replace "20,716,548" with "16,597,842"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2001 - Summary of Senate Action**

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Legislative Assembly			
Total all funds	\$13,117,952	(\$4,100,000)	\$9,017,952
Less estimated income			
General fund	\$13,117,952	(\$4,100,000)	\$9,017,952
Legislative Council			
Total all funds	\$7,598,596	(\$18,706)	\$7,579,890
Less estimated income			
General fund	\$7,598,596	(\$18,706)	\$7,579,890
Bill Total			
Total all funds	\$20,716,548	(\$4,118,706)	\$16,597,842
Less estimated income			
General fund	\$20,716,548	(\$4,118,706)	\$16,597,842

**Senate Bill No. 2001 - Legislative Assembly - Senate Action**



**REPORT OF STANDING COMMITTEE (410)**  
**February 11, 2005 4:37 p.m.**

**Module No: SR-28-2675**  
**Carrier: Mathern**  
**Insert LC: 58001.0101 Title: .0200**

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$5,736,429		\$5,736,429
Operating expenses	2,997,773		2,997,773
Capital assets	6,000	\$100,000	106,000
National Conference of State Legislatures	177,750		177,750
Legislative applications replacement	4,200,000	(4,200,000)	
Total all funds	\$13,117,952	(\$4,100,000)	\$9,017,952
Less estimated income			
General fund	\$13,117,952	(\$4,100,000)	\$9,017,952
FTE	0.00	0.00	0.00

**Dept. 150 - Legislative Assembly - Detail of Senate Changes**

	ADDS FUNDING FOR RENOVATIONS <sup>1</sup>	REMOVES FUNDING FOR IT PROJECT <sup>2</sup>	TOTAL SENATE CHANGES
Salaries and wages			
Operating expenses			
Capital assets	\$100,000		\$100,000
National Conference of State Legislatures			
Legislative applications replacement		(\$4,200,000)	(4,200,000)
Total all funds	\$100,000	(\$4,200,000)	(\$4,100,000)
Less estimated income			
General fund	\$100,000	(\$4,200,000)	(\$4,100,000)
FTE	0.00	0.00	0.00

<sup>1</sup> The capital assets line item is increased by \$100,000 from the general fund to provide funding for committee room renovations.

<sup>2</sup> Funding of \$4.2 million from the general fund for replacing legislative computer system applications is removed.

**Senate Bill No. 2001 - Legislative Council - Senate Action**

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$5,189,860	(\$18,706)	\$5,171,154
Operating expenses	2,367,736		2,367,736
Capital assets	41,000		41,000
Total all funds	\$7,598,596	(\$18,706)	\$7,579,890
Less estimated income			
General fund	\$7,598,596	(\$18,706)	\$7,579,890
FTE	33.00	0.00	33.00

**Dept. 160 - Legislative Council - Detail of Senate Changes**

	REDUCES COMPENSATION PACKAGE TO 3/4	TOTAL SENATE CHANGES
Salaries and wages	(\$18,706)	(\$18,706)
Operating expenses		
Capital assets		
Total all funds	(\$18,706)	(\$18,706)
Less estimated income		
General fund	(\$18,706)	(\$18,706)
FTE	0.00	0.00

2005 HOUSE APPROPRIATIONS

SB 2001

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2001

House Government Performance Division

☐ Conference Committee

Hearing Date February 28, 2005

Tape Number	Side A	Side B	Meter #
1	X		1-End
		X	1-4033
Committee Clerk Signature <i>Stephanie Thomas</i>			

Minutes: **Chair Carlson** opened hearing on SB 2001, relating to an appropriation for defraying the expenses of the legislative branch of state government; and to declare an emergency.

**John Olsrud, Director of Legislative Council:** (SEE WRITTEN TESTIMONY)

(SEE HANDOUT)

**Chair Carlson:** Is there any turnback at all on the council side?

**John:** At this time, yes, as of the end of December there is a substantial turnback, but we don't know until the end of the session.

**Chair Carlson:** Your budgeting on 78 days?

**John:** 77 days.

**Chair Carlson:** Would they be turned back as a group? The two of them would be put together if there was a turnback?

**John:** They are separate line items, but a turnback is a turnback.

**Chair Carlson:** Is that typical in biennium's gone past, 77 is always kind of the number you've run with?

**John:** The last 10 years or so I think there has been one year that the Legislature did cut it. There was a cut one year, in a real tight budget year.

**Chair Carlson:** Everyday you take off is how much money?

**John:** About 60,000 is the out of pocket, additional marginal costs. If you take the total budget and divide by 77 days, you come up with a number much larger than 77, but a lot of those are fixed costs. So the 60,000 is the marginal cost of each additional base.

**Chair Carlson:** Was that 100,000 dollars that we put in on the House side for working with some other rooms, and you've given me a suggestion about the stage and that pop area, but is that better off in this budget? Would it make more sense to roll that out of OMB, and put it in here?

**John:** That's a matter of opinion, I would think yes. We ended up, for example, last time with 30,000 in the OMB budget for the chairs up in the Memorial Hall. That was in the OMB budget. It doesn't make any difference, except when your looking at the legislative budget.

**Chair Carlson:** If the bill passes, I know there is a difference between the House and Senate, the House wants to go back to January 1. How would that be covered if it does pass and goes back to January 1 at 900 dollars? That's this biennium's money. Are we going to be short at that point in time, and ask for a deficiency appropriation from our own assembly?

**John:** We are assuming there will be sufficient money. Going into the session, we think that we have enough money to get through, including something like this. Unless there's something else that comes up, that should be able to be absorbed.

**Chair Carlson:** But, the mileage isn't retroactive?

**John:** The mileage is in here. As far as I know, there is no move to change the effective date of the mileage.

**Rep. Monson:** I thought I heard you say something about 74 FTE's.

**John:** That was the amount in 2003, and the number hired is actually higher than that. That is for House and Senate.

**Rep. Monson:** I'm seeing 33 FTE's, am I missing something?

**John:** No, that's what your confusing, Legislative Council and Legislative Assembly. The 74 is just the temporary people hired by the House and Senate. The legislative Council is 33.

**Rep. Monson:** You said 2.2 million to 3.55 million that's spread over to biennium's, so are you saying that 2.2 would possibly replace the 4 million?

**John:** No, 2.2 to 3.5 is the range for this biennium. There will be additional money needed in the next biennium.

**Rep. Monson:** If we were to spend the 4.2 million, somehow find that for now, that would do it. Is that what your telling us?

**John:** What I don't know is where we would be in two years. That 4.2 million was come up with probably on short notice without a whole lot of detail work, before they got into actually looking at the phases and so forth. If we have the 4.2 million, what I expect to do is get as much done in 24 months. In the next session ask so there doesn't have to be a turnback, and then continue with the project.

**Rep. Skarphol:** What has Enterprise Solutions provided you to this point? Just an estimate of what it's going to take to replace this system, or have they actually become the contractor that you intend to utilize at this point?

**John:** What they have given us is an analysis of what we have, looking at what other states have done. A lot of what they are recommending is to use as much as possible off the shelf, meaning not having to develop. What we're giving you now is the report. We've got lots of additional backup. This is the report that gives you most of the answers, but there's a lot more information that the consultant provided.

**Rep. Skarphol:** What potentially exists out there is what's called a COSS System, Commercial Office Shelf System. We can take and either change our business practices to accommodate it, or modify it to fit our needs. Is that what your hoping to accomplish?

**John:** I don't think there is an office shelf system itself. What we're talking about is many parts as possible of finding what's off the shelf and adapting.

**Rep. Skarphol:** There are two systems right now out there in state government. I say that, because I've had the experience of going down and talking with IT about drafting and IT bill. They'll draft the bill and give me a suggested bill draft. It's very different then what I see coming out of Legislative Council, in that it doesn't use the overstrike and the underlining system, is uses different colors. It's much more readable than the current system. I'm curious if you've looked at that system at all as a potential system for Legislative Council to use?

**John:** I'm sure that if we looked at other states, we could find a number of variations. We as staff are open, now what we would plan to do is probably work with the Legislative Management Committee or something. Questions like that, if there are choices, we aren't going to make those decisions. The underscoring and strike group has been traditional in the state, it's long standing. We have spent a lot of money getting that into the system that we have now. If there are other systems, we certainly are not going to say that we have to have underscoring. That's a

legislative decision. I see that more as a policy, and it would take some educating, but you apparently think that it would be quite adaptable. The one thing that I don't know is what about all the people printing the bills that have lack of printers in their offices? Who are the stakeholders, and what would the cost be to all the stakeholders for us to make a change?

**Mary Ann Trauger:** We did try that a number of years ago. We ran into a few difficulties with it. First of all, the first bill naturally is just fine, because you have your overstrike and underscore in that bill. Then you have the engrossed bill, so what's the difference, now another set of colors. We ran into certain circumstances, so just using the color was not a solution. We had to use overstrike and underscore, because of printing issues. As we moved from those PC's that we started out with, which were concerned to be too expensive, to the dumb terminals, then the option was gone. It was something that was attempted, but there were some issues on how far do you continue the color, what color are you going to be having for your third engrossment, and what your enrollments going to be if you overstrike and underscore. We ended up actually discontinuing when we went to the mainframe terminals, which were less expensive for an expansion.

**Chair Carlson:** I don't think any of us has trouble with a better system. I think we want to make sure that we don't eliminate any options. If we're talking about implementation in 2009, we've got a chance to do something that's going to last for the next 50 years. If we appropriate this money, have we got enough facts to say that number is even close?

**John:** You will always have those kinds of questions. We as staff see our job is to make sure you have as much information possible, and to make sure that we aren't trying to sell you on a certain point of view. From this point on, we want legislatures to be deeply involved, because

we don't want to come to the 2009 session and have you say why didn't you use this, and we say that we as staff decided to do it this way. We know in this process that the public is deeply involved, lobbyists are involved, the interest groups. We know there would be an enormous cost if we came back with a system that serves you, but we have to spend our time on the phone explaining to people, because they couldn't see it on their home computers. We want to serve all the stakeholders.

**Rep. Monson:** Your on the mainframe with what we have now, evidently IT when they do bill drafts they must not be on the mainframe with their system. If they've already got a system that isn't on the mainframes, is there a way that we don't have to reinvent the wheel. Can't we just use what they're using?

**Mary Ann:** Most of these people are giving you single use copies. What we are doing is key once, and then it goes through the whole system. The Century Codes, we are not rekeying. That's how we've been able to read you stats, and that's how we've been able to hopefully increase efficiency for you. There is no way in my opinion that we should except a system that will not take those amendments.

**Rep. Skarphol:** The new system that you are considering, will it be based on Lotus notes?

**Mary Ann:** No, ITD's plan is not to have those notes anymore. It will probably be based on XML, which is a tagged based system, but it is one that word does some converting on. This is just throwing this out, because we haven't done testing on that sort of thing yet.

**Rep. Skarphol:** Do you envision Enterprise Solutions acting as a project manager on this or someone on staff? Or are you intending to hire an outside consultant to function as a project manager, because I think it is imperative that you have one?



**John:** Our intention is to use Enterprise Solutions to prepare the request for proposals. We have not entered discussions to be a contract manager, but that's a likely possibility that Enterprise Solutions will be the contract manager.

**Rep. Skarphol:** I appreciate what you just said about your staff, and the contract person, whoever that may be, but you neglected one entity that I think would give you valuable input, and that's ITD. They need to be part of a request for proposal to insure that the language adequately addresses the establishment of the benchmarks, deadlines, and time frames so that everything gets laid out. So whoever is delivering the product to you has a preestablished expectation as to when they're going to get paid, and how much for delivery of what portion of the system. Then if they don't reach that point, that you have the opportunity to review the analysis of it, and keep some pressure on them. Best practices need to be followed, especially by us in the legislative assembly, since we try to preach to the agencies to do the same thing. We do not want to come up with something that is not upfront adequate.

**John:** One of the advantages to us in having Enterprise Solutions, is that we said right up front that whatever you come up with has to be compatible with what ITD has. You have to go over this step by step. I see that as an informal part of the process, ITD is not going to sign off on the contract or anything, that's between us and the consultants.

**Rep. Glassheim:** Will they go through SITAC then? How do we make sure that they're acting as if they were a regular agency?

**Rep. Skarphol:** Legislative Council and the Legislative Assembly are exempt from everything, because they are a separate branch of government. However, they have agreed to report to us on a voluntary basis, and keep us informed of what's going on. I think Legislative Council should

be represented in SITAC. I think they should be a member of SITAC, so that they hear the discussions that they place as well.

**John:** We have always wanted to be in a position. We take our independence probably more seriously than legislators do. The reason is, we don't want to be in a position that you as legislators ever have to make a decision, then say a motion was made and we don't agree with it. We want to be in a position that we are totally supportive of legislatures, and that when you make these decisions, your not thinking that somehow we have been a part of what you're addressing.

**Rep. Skarphol:** The only logic behind the priority list is to give us some idea of the relative importance of these projects, and the overall scope of state government. I wouldn't see yours as being evaluated separately.

**Rep. Glassheim:** Maybe SITAC is the wrong thing that's just ranking the projects, and I can see why we might decide that we want a project. A technical fit within the whole infrastructure, is there a different committee that would have some authority over us?

**Rep. Skarphol:** No, I think your question can be answered by the Enterprise Architecture Structure. That really is just a large discussion group of technology people throughout state government to ensure that everybody is trying to work collectively to work the same ends, and to have compatible systems that will interface and communicate with each other.

**Rep. Glassheim:** The issue of ten years down the road, we want somebody in ITD who can respond to the system.

**Rep. Skarphol:** 2037 is a bill that came out of the interim IT committee. We're going to hear it in this committee. Part of that bill is that there are exemptions for certain state agencies. We're

going to have a discussion about what's the appropriate language to have in there. That language is going to be designed to point the direction that we want state government to go.

**Chair Carlson:** I'm assuming if everybody's talking about abandoning the Mainframe, that in some point in time what we have isn't going to work anyway. At what point in time does it no longer work for us? If we're going to abandon it, what's going to happen?

**Mary Ann:** We do not have a time certain preliminary gap. We hoped to have this done in 14 months. We do have some serious concerns about some of our software, some of our programs, to be able to do that.

**Chair Carlson:** Is this a ten year process to get everybody off of the Mainframe, or what is the process?

**Mary Ann:** What we have heard is that they hope to have them off in 14 months.

**Chair Carlson:** So what happens to your programs when it's gone?

**Mary Ann:** There may be some things that you won't have.

**Rep. Skarphol:** Is the entire system Mainframe based right now?

**Mary Ann:** Probably for the session, with the exception of the budget status.

**Rep. Skarphol:** Is it plausible to get that portion done in 14 months?

**Mary Ann:** Highly unlikely.

**Rep. Skarphol:** Is there any way to do a crash program on that particular segment?

**Mary Ann:** What we're trying to define is a bill drafting system that included the journal, committee hearings. It's huge. We would still have the issue of testing, and to be able to test that much, we don't even have anybody on staff to test it to know that it is working right. You

could do it if you had enough money, enough people, a place to put them, and enough people to test.

**Rep. Skarphol:** Mechanically, how do we do this? No matter when you do it your still going to have a testing issue. Your not going to be able to test it until we're in session.

**Mary Ann:** You are very much correct. It is going to be very difficult. What you have now has been developed over 30 years. We know that going into another session, you are going to have a very basic system. As you develop needs and requests, that will happen just as it happens now.

**Chair Carlson:** What's up with the Mainframe? We have so many separate users, that we just can't abandon it and have somebody stuck out there that isn't in line understanding the process, that now has a system that isn't going to function properly, or we're keeping this Mainframe functioning for what used to be all of Government, now one system.

**John:** We'd be very interested in however specific you can nail them down as far as the Mainframe.

**Rep. Glassheim:** What is the anticipated turnback from which one, Legislative Council or Assembly?

**John:** This is Legislative Assembly. The answer is no, we don't know what the turnback will be. The difficulty with this kind of thing, is that at any point during the interim, there maybe some information technology costs that was budgeted for the last 6 months that will be spent this 6 months, or something like that.

**Chair Carlson:** You have not officially contracted with this Enterprise Solutions, or have you? What is the extent of their contract?

**John:** We have 10,000 dollars in the contract to help us with an RFD.

**Rep. Skarphol:** To follow up on IT equipment under 5,000, you've got an 86,000 dollar increase here. Is that in anticipation of potentially replacing some PC's? Your going from 50,000 in this biennium to 136,000.

**Al Knudson, Legislative Council:** There's 8 printers, 20 local printers, wireless cards, DVD replacement, and nonwarranty repairs.

**Rep. Glassheim:** The travel increase of 146,000, some of that is the increased mileage. Is it all increased mileage?

**Al:** Primarily, that's increased out of state travel with motels going up out of state, airline tickets.

**Chair Carlson:** The last two biennium's I've watched in amazement, the bill room, how we have stacks and stacks of bills and not as many people are requesting the bills. I've often wondered why we didn't have ourselves one nice high tech printer, and print out for what people want for bills if they come and request them.

**John:** That has come up. It's not a simple answer. To start with printing bills is cheaper than copying them per copy. There's no question a few years ago it made a whole lot of sense to print, we keep cutting down on the number of bills being printed. I will tell you unless somebody has some real high speed equipment, some of these bills are over 100 pages long. Can you imagine being in a line and you want a bill, and the person in front of you is having a 100 page bill run off. Right now they just go to a shelf and hand them to you. That is more efficient. When you come to those big bills, it would be very inefficient to wait for a copy.

**Chair Carlson:** I beg to differ that most, maybe 1% to 2% of those bills are that big, and the rest of them are 5 pages or less.

**John:** When we do the contract for the bills, we get all those numbers, and a lot of the bills are 1 page, or 2 pages, and then you get to a handful of bills that are 50 or more. Even given the way the bill room is run now, that room could be much more efficient with new shelves, maybe adjustable shelves, something that wouldn't take up so much space. There's no question about it, that technology has had a dramatic effect. There used to be 12 employees in that room, and on certain days they were very busy, but there were a lot of times there was no need for 12 employees. It's way down, and you are right, that is one thing we need to continue to look at to find more efficient ways of running that room.

**Chair Carlson:** Is the printing, is that just for that room, or is it for multiple things, are 270,000 dollars for printing? Is it in the assembly budget or the council budget?

**John:** The printing is Legislative Assembly.

**Chair Carlson:** If somebody said, what is the cost of the bill room to staff it, print it, and operate it, could somebody give me a number?

**John:** We do this for the Legislative Management Committee during the interim. We give them a report, and we also show the trend.

**Al:** For 99/01, we spent 50,000 dollars on the bill and journal room. That was the contract, and that includes the printing of the bills, as well as staffing it. For 01/03, it was 30,000 dollars.

**Chair Carlson:** So they just throw all the old bills away at crossover, because their not reengrossed, they don't have the amendments, and we start over?

**John:** No, we used to not have printing of the engrossed bills, but if somebody still wants an original copy, you can still come and get an original copy if you ask for it. I don't think they throw them away at crossover.

**Rep. Skarphol:** You cannot e-mail legislative drafts, right?

**Mary Ann:** We have what you call a digital scanner, and yes, we can use that and e-mail a draft. However, what we generally do for people who are asking for a draft, rather than e-mailing it, we just send a link to it on the Internet.

**Rep. Skarphol:** Would it be logical for us to give you some type of borrowing authority in the event that you needed to proceed with the project as needed, and still not necessarily have to appropriate the dollars. Is that a logical solution to this thing, because you do need to proceed with what needs to be proceeded with to get off the Mainframe. But at the same token, if your not going to expend money until next biennium for the major portion of the project, it's silly to put it out there.

**John:** I don't see this as any different from many other projects that are undertaken by us, or by others. There are certain uncertainties, but as we get into the biennium, that would be part of the RFP to define what we think we can accomplish, and if the bids come in less and we can accomplish more, we would proceed to the next phase if we had the money.

**Chair Carlson:** Your going to hire this guy for the purposes of writing the RFP only, because he doesn't have the skills to put this together. Has he given you a number that he will provide for that RFP?

**John:** We're talking about 10,000 dollars already in the budget. Until we do the RFP and get the contracts back, there's no consultant in the world who can give us with precision what this is going to cost. We can spend all the money that we want trying to get the best numbers, but as we have found out even on these consulting contracts, the Legislature appropriated 350,000 for one

and 200,000 for another, those were best guesses, the numbers came in less. We hope that when we go out on the actual bids, we do get some lower numbers.

**Rep. Monson:** We've tried to come up some creative ways to finance some of these software packages this time. Giving you the ability to borrow, for instance, from the Bank of ND or whatever, what are the legalities in your opinion about doing that? Where are our limits when it comes to how much borrowing authority do we give you, or is that even legal at all?

**John:** You often hear people saying that our State Constitution requires a balance budget. My question is find that for me, find that language. Our State Constitution has a limitation on borrowing, and it is a section that has about three different parts. It starts out saying the state can't borrow more than 2 million dollars without a mortgage on real-estate, something like that. Then it goes on to talk about debt backed up, that's what the Attorney General addressed in this most recent opinion, saying if you have debt that has an assured source of revenue attached. The common, the one I'm most comfortable with advising Legislators on, is something like a revenue bond, where the typical one there is a college once a dormitory. The bond holders own the dormitory. If the state doesn't make the payments, somebody else owns that dormitory. There's that other area where the Attorney General does keep the opinion on the Centers for Excellence, and that's the difficult one that if there's an exact source of revenue, I don't think it would be legal for you to simply say the Legislative Council can borrow 4 million dollars.

**Rep. Monson:** I look at the Bank of ND, for instance, and their assets. If we gave you the authority to borrow at the Bank of ND, technically that's an asset that we own. We're not going to go and sell the bank overnight, or we're not going to borrow against it, but as long as they have the ability to borrow that money, we're kind of borrowing from ourselves.



**Chair Carlson:** I need the best estimate for the rest of the biennium, where your expenses will be compared to what we budgeted.

**Jim Smith, Legislative Council:** Roughly we've identified about 185,000 for the council that is not going to be spent.

**Chair Carlson:** How about on the assembly side?

**Jim:** Our financial statements are through the end of December, we have no idea how long the session is going to last, what the cost is actually going to be.

**Rep. Skarphol:** Has there ever been a different risk analysis of the system?

**Mary Ann:** Not recently.

**Chair Carlson:** What does it cost us if everybody else is migrating off the Mainframe, and we don't make any accommodations to do it? Are we the last person on, and then we have to pay all the costs of the maintenance of the system?

**Rep. Skarphol:** That would be the logical thing to do, but that's not what ITD intends to do. They intend to have everybody share in the cost of that, until such point as everybody's off.

**John:** Let's say ITD finds a way to migrate this software on to servers, that still doesn't take care of the problem of the servicing of the software.

Closed Hearing on SB 2001.

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2001

House Government Performance Division

☐ Conference Committee

Hearing Date Wednesday, March 23, 2005

Tape Number	Side A	Side B	Meter #
1	X		1-5550
Committee Clerk Signature <i>Rose Tunkent for Step.T.</i>			

Minutes:

**Chairman Carlson** opened discussion on SB 2001 concerning the budget for Legislative Council. He referred the Committee to the green sheets and noted that there are no major changes other than insurance, the money taken out for ITD study, and the new program for \$4.1 million.

**Mr. Allen Knudson, Legislative Council**, noted that there was also an increase of \$98,000 for lodging during the session. It's retroactive to January of this biennium and doesn't distinguish between a private residence or hotel. The reimbursement is \$900. It's found under operating expenses for the assembly (Also, Item #3, Legislative Assembly green sheet). **Chairman Carlson** asked whether the mileage increase from 31 cents to 37 cents is included, under operating, and **Mr. Knudson** affirmed.

**Chairman Carlson** asked about increased ITD operating costs and **Mr. Knudson** said those were minor changes in application systems. The overall change amounts to \$9,000.

**Chairman Carlson** asked about memberships and **Mr. Knudson** said the only memberships are in CSL. **Chairman Carlson** asked if the operating expenses included all travel and interim committees, etc. **Mr. Knudson** said that information is in Legislative Council budget. The Assembly budget has the travel during the session. **Chairman Carlson** established that anything in the interim would be in the Legislative Council budget.

Committee members discussed whether or not SB 2059 regarding the lodging increase had passed through the house and **Mr. Knudson** said that it reported back Do Pass.

**Chairman Carlson** said there are two issues to discuss. One regards updating the computer system and the other regards how to handle the bill room and processing bills. He told the Committee according to their budget there was \$146,000 for contractual services for IT and he understood that was for the bill room. **Mr. Knudson** said that shouldn't be under IT. **Rep.**

**Skarphol** said there is a separate report prepared by Legislative Council and it indicates a cost of about \$280,000 to operate the bill room and about \$35,000 for a printer system. **Mr. Knudson** said the budget for printing bills and resolutions is \$88,000. The projection of what a few high-speed printers would be is \$35,000. The \$88,000 doesn't include staff. He said the contract is for \$90,000 and that includes the secretarial service, the bill and journal room, and the telephone room. It's all under one contract.

**Chairman Carlson** asked how to amend to change the bill room to using high-speed printers and the computer. **Mr. Knudson** said Legislative Management Committee makes that decision. There could be a section stating legislative intent. Funding changes might be made. **Chairman Carlson** said most lobbyists print their own. A printer/computer produces 45 pages per minute. One person could man the room rather than three. **Rep. Monson** suggested a study for this. **Rep.**

**Skarphol** suggested intent language to evaluate and try out a plan next session. (Meter #1169)

**Rep. Glasheim** suggested there could be a public computer like the Laws system the legislators have at their desks. **Chairman Carlson** said that's what this would be, only a person will be there to produce on demand.

**Chairman Carlson** asked again what's budgeted right now for everything. **Mr. Knudson** repeated it's \$88,000 for the printing contract for bills and resolutions. It's a consolidated contract with the secretarial service. **Rep. Monson** noted that staff is moved back and forth from the bill room to the steno pool, as needed. The people who bid it know what to anticipate it will cost, but it's not separated out.

**Chairman Carlson** said intent language might say that to better utilize the space in the journal room, the distribution of bills should be done upon request through the use of high-speed printers according to the projection estimated at \$35,000. **Rep. Skarphol** noted that purchasing is a better idea, rather than leasing. **Chairman Carlson** requested that **Mr. Knudson** draw up an amendment for this intent. **Rep. Skarphol** suggested rather than "to consider" maybe the intent should be stated to strongly encourage.

**Chairman Carlson** brought up the second issue and said he believed the Committee intends to leave the \$4.1 million for the computer system out. That study to do that will be addressed in **Rep. Skarphol's** amendment. It was generally confirmed.

He referred the Committee to Amendment .0202 which was **Rep. Delzer's** request. It adds that the division chairmen of appropriations receive the extra \$5 compensation during the session.

This is not retroactive. **Rep. Monson** moved to adopt .0202; seconded by **Rep. Skarphol**.

Motion passed by voice vote. It was decided that would be \$1,600 maximum for this session.

**Chairman Carlson** directed the Committee to consider Amendment .0201 which allows any unexpended funds could be used for new computer project replacement costs. The amount equals \$540,000. **Mr. Knudson** said this allows carry over for both Legislative Council and Legislative Assembly, which can be combined and used for the project. **Rep. Skarphol** said this sum would be sufficient over the interim, but there will be costs associated with doing the proposed evaluation. A \$4 million project, typically, has pre-planning process costs of about 10%.

**Chairman Carlson** added that without this authority they couldn't use that money. **Mr. Knudson** said otherwise it would be turned back to the general fund. He confirmed that this figure comes from an assumption of a 77-day session. **Rep. Skarphol** said that it was not included in the projected ending fund balance for this biennium because they use the zero figures.

**Chairman Carlson** said it would go into there if they are not allowed to keep it.

**Rep. Skarphol** moved Amendment .0201; seconded by **Rep. Monson**. Motion carried by voice vote.

**Chairman Carlson** turned discussion to Amendment .0203 which increased legislative pay by \$10 per day beginning in the 2007 session. **Mr. Knudson** said it costs about \$170,000. **Rep.**

**Monson** asked if this turns out to be a 4 and 4. **Rep. Skarphol** said 8% exactly. **Chairman Carlson** said 3 and 4 would \$134 if you take 3, compound that, and take the 4 on top of that.

**Rep. Skarphol** said 8% of 125 equals \$10. **Chairman Carlson** said he used the same formula as used for state employees. **Chairman Carlson** said Rep. Kempenich brought this up because he thought it was time for a raise. He asked when the last raise was. **Mr. Knudson** said it was \$90 and it went to \$111 in 1997. It went to \$125 in 2001. **Chairman Carlson** asked what the fiscal

note would be on this. **Mr. Knudson** said \$170,000. **Rep. Skarphol** moved Amendment .0203; seconded by **Rep. Monson**.

**Rep. Glassheim** said the raise is not unreasonable. **Rep. Skarphol** said he has a study which states that if the legislature had kept up with state employee raises since 1980, at that time, it would be at \$156. He said he disagrees with that kind of index; it's better to vote straight up because he believes they deserve it. **Rep. Glassheim** noted that leadership continually stresses "terrible straights," even though this year is different. He wondered if the legislature shouldn't take a hit more than the others since the legislators are making the cuts. **Rep. Skarphol** asked **Ms. Lori Laschkewitsch, OMB**, if there were any budget getting less the next biennium than this biennium. **Ms. Laschkewitsch** said she didn't know the answer to that. **Rep. Glassheim** conceded that they make cuts on the increases and that it's moving up at the rate of inflation. **Rep. Skarphol** said the pay raise is 8% and the increase in other expenditures is 11.4%.

**Chairman Carlson** said to vote according to conscience. **Mr. Knudson** added that he had re-figured and the cost is \$175,000 rather than \$170,000. **Chairman Carlson** called for a roll call vote; motion passed 4-0.

**Chairman Carlson** referred the Committee to Amendment .0204 and read the underlined text. The logic for this is the need for a more direct tie between the regular and interim committees, so there's more consistency and success on that interim legislation. Whoever chairs the regular committee should also be chairing the interim committee. He asked **Mr. Knudson** what happens to those interim committees like electric deregulation or performance which have no regular committee. **Mr. Knudson** said this section doesn't really address that issue. **Rep. Skarphol** asked about the commerce committee and whether or not an IBL chairman would take that. He

asked how many interim committees generally and how many regular. **Mr. Knudson** said 24 interim, but he wasn't sure about regular. **Chairman Carlson** said that if someone is on Council or is a leader he/she will chair an interim committee. It's an unwritten rule. There was some discussion regarding how this shakes out. **Mr. Knudson** said there are 10 standing committees, excluding appropriations, in each house. **Chairman Carlson** suggested maybe further discussion should be held until Full Committee meets. **Rep. Glassheim** noted that 7 of the 15 people can't chair a committee because they're Democrats. **Chairman Carlson** said when you consider percentages, the Republicans control 2/3 of both chambers, but the Council does not reflect the makeup of the Assembly, so therefore a disproportionate number of people chair committees in relation to the membership of the assembly. **Rep. Glassheim** said the arrangement promotes better relations between the majority and minority.

(Meter #4000)

**Chairman Carlson** asked **Rep. Skarphol** to explain the new amendment being drafted concerning an executive steering committee for this project which will be comprised of staff from Council and ITD and members of the IT Committee. He explained that during the planning process different issues would be raised for discussion, those who participate from staff areas will be determined by the nature of the issue. The decisions here should be reached by consensus, not by majority. If any vote needs to be taken, it should come back to the legislature. **Rep.**

**Glassheim** asked if this is a smaller committee to work on the technical pre-technical aspects of the project. He asked if 20 people at the table can do details and functionality. **Rep. Skarphol** asked if he wanted to define a smaller, more specific group, which would bring forward a proposal to a larger group. **Chairman Carlson** said the whole purpose of this is to get more

people involved than just the one group, but have the experts at the table. **Rep. Skarphol** said there has to be discussion among the technical people. They could evaluate 6-8 options and bring 3 to the interim IT Committee. **Rep. Glassheim** asked about having OMB involved. **Rep. Skarphol** asked **Mr. Knudson** to use language that would create an executive steering committee comprised of 2 Legislative Council, 2 IT, 2 legislators, and other professionals as needed. This would allow for contract people. **Rep. Glassheim** suggested language which allows them to contract. **Rep. Skarphol** suggested speaking to Mark Molesworth, the head of Project Management Department, for language as to what's the best practice in order to do this.

**Rep. Skarphol** moved to approve this new amendment, subject to final review once it has been prepared; **Rep. Glassheim** seconded. Voice vote passed.

**Rep. Monson** moved a Do Pass on SB 2001 as amended; **Rep. Skarphol** seconded. Motion passed 4-0. **Rep. Monson** will carry.

**Chairman Carlson** closed discussion on SB 2001.

(Meter #5550)



## General Discussion

- ☐ Committee on Committees
- ☐ Rules Committee
- ☐ Confirmation Hearings
- ☐ Delayed Bills Committee
- ☒ House Appropriations
- ☐ Senate Appropriations
- ☐ Other

2001  
but Performance

Date March 24, 2005			
Tape Number	Side A	B Side	Meter #
1	X		1-1130
Committee Clerk Signature <i>Stephanie Thomas</i>			

Minutes: **Chair Carlson** opened general discussion on SB 2001, relating to an appropriation for defraying the expenses of the legislative branch of state government; and to declare an emergency.

**Rep. Glassheim:** Move to reconsider action.

**Rep. Skarphol:** Second.

**Rep. Skarphol:** I would move amendment 0209 with changes.

**Rep. Monson:** Second.

**Chair Carlson:** Voice vote on amendment. Motion passes.

**Rep. Monson:** I would move do pass, as amended.

General Discussion

Page 2

House Government Performance

March 24, 2005

2001

**Rep. Skarphol:** Second.

**Chair Carlson:** We'll take a roll call vote.

SB 2001 is a do pass, as amended.

Closed General Discussion Hearing.

2001  
Govt Performance

## General Discussion

- ☐ Committee on Committees
- ☐ Rules Committee
- ☐ Confirmation Hearings
- ☐ Delayed Bills Committee
- ☒ House Appropriations
- ☐ Senate Appropriations
- ☐ Other

Date March 24, 2005			
Tape Number	Side A	B Side	Meter #
2		X	4230-4610
Committee Clerk Signature <i>Stephanie N. Thomas</i>			

Minutes: **Chair Carlson** reopened general discussion on SB 2001.

**Chair Carlson:** We have to fix an error we had in SB 2001, so we need a motion to bring it back and change it.

**Rep. Glasshiem:** I'll move.

**Rep. Skarphol:** I second.

**Rep. Skarphol:** In order to ensure that we had the language correct in section 5, on page 1. We made a change starting on the end of the second line, and the third line to incorporate some language that gives a better definition of what our expectations are. We don't want them to do the replacement, we want them to plan the replacement of the system.

General Discussion

Page 2

House Government Performance

March 24, 2005

2601

**Rep. Skarphol:** I would move 0209 in leu of 0208.

**Rep. Monson:** Second.

Voice vote.

**Rep. Skarphol:** I would move 2001 as amended, do pass.

**Rep. Monson:** Second.

Roll call vote. SB 2001 is a do pass as amended.

Closed General Discussion Hearing.

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2001  
Legislative Council

House Appropriations Full Committee

☐ Conference Committee

Hearing Date March 24, 2005

Tape Number	Side A	Side B	Meter #
1	X		#24.5 - # end
1		X	#0 - #4.3
Committee Clerk Signature <i>Chris Alexander</i>			

Minutes:

**Rep. Ken Svedjan, Chairman** opened the discussion on SB2001.

**Rep. Eliot Glassheim** explained that amendment #0209 changes section 5. The legislative assembly requested \$4.2 million to revise its computer system. We removed the money because we thought they needed a better plan for implementing a new system so we added section 5 that calls for a design and plan for implementation. We set up an executive steering committee which includes 2 members of legislative council staff, 2 members of IT staff and 2 legislators and any other person that legislative council chair may deem necessary.

**Rep. Mike Timm, Vice Chairman** asked if this means that we are removing the \$350,000 from the budget

**Rep. Eliot Glassheim** answered that this was for a study that was completed at the last session. Rep Glassheim continued to explain that section 6 is the result of the discussion concerning the need for additional space and the efficiency of the bill and journal room. So we set up a study to

see if a high speed printer can handle the print on demand flow of bills for the assembly rather than preprinting all the bills and throwing half of them away after the assembly.

**Rep. Al Carlson** explained that the printing costs were \$248,591 in the 2003-05 budget. We had an estimate done on the cost of high speed printer, computer, one FTE, and all the paper and supplies needed for the bill and journal room. The total estimated cost came out at \$34,730. The bill says that if this study comes out that this works, then they should go ahead and do it. Even if it is double this we should do this.

**Rep. Eliot Glassheim** explained that section 7 adds \$5 per day to the salaries of the sub committee chairs. Section 8 raises the daily salaries of the legislators from \$125 to \$135 starting in the next session. Section 9 is the \$500,000 in rollup dollars in the budget.

**Rep. James Kerzman** asked about the old language regarding lodging in section 8 and asked if this passes after the other lodging bill will this supersede the other bill.

**Mr. Allen Knudson** of legislative council explained that it would work out that the new language will take precedent. There is no conflict here.

**Rep. Eliot Glassheim** explained that the rollup funds would go back to pay for preplanning in section 5. Section 10 is the effective date of December 1, 2006 for the increase of the daily salaries. The dollars for all of this can be found on page 2. Rep Glassheim moved to adopt amendment #0209 to SB2001

**Rep. Al Carlson** seconded

**Rep. Ken Svedjan, Chairman** asked if the total adjustments to the budget \$158,244 as shown in the summary. (meter Tape #1, side A, #36.9)

**Rep. Eliot Glassheim** answered that this was correct.

**Rep. Ken Svedjan, Chairman** called for a voice vote on the motion to adopt amendment #0209 to SB2001. Motion carried.

**Rep. Keith Kempenich** moved to further amend SB2001 to increase the monthly compensation from \$250 to \$300. This is not retroactive and goes into 2005 budget. The fiscal cost is \$170,000. This can be found on the second paragraph on page 3.

**Rep. Tom Brusegaard** asked what the legislative compensation committee recommended for this and why did they not bring forth their own amendment.

**Rep. Keith Kempenich** answered that he was unsure why.

**Rep. Mike Timm, Vice Chairman** seconded the motion

**Rep. James Kerzman** commented that he would resist this motion because he feels that he is sufficiently compensated.

**Mr. Jim Smith** answered that the commission looked at the compensation and put forth 2 bills, SB2058 and SB2059 that concerned the travel reimbursements and the lodging and meal reimbursement. These were the recommendation of the commission. This concern was not included in those recommendations.

**Rep. Ken Svedjan, Chairman** called for a voice vote on the motion to further amend SB2001. Vote was unclear. Rep Svedjan called for a roll call vote on this motion. Motion failed with a vote of 7 yeas, 16 neas, and 0 absences.

**Rep. Ron Carlisle** asked if we needed to change the effective date to December 1, 2006.

**Rep. Keith Kempenich** answered that we wouldn't need to do this.

**Rep. Bob Skarphol** commented Mr. John Olsrud, director of legislative council, is concerned about the sustain ability of this computer system described in this bill. He would like the money

put in the budget or give them borrowing authority to do an RFP and then go on with the computer project if the RFP shows positive results. (meter Tape #1, side A, #44.8)

**Rep. Ken Svedjan, Chairman** asked if this was discussed in subcommittee.

**Rep. Al Carlson** commented that the subcommittee was not comfortable moving forward with this project until some additional planning and cost analysis is completed. It would be applying the same standards to ourselves that we require of everyone else.

**Rep. David Monson** commented that it was never really discussed to set up a pool of money that would allow legislative council to go ahead with the project after the study was completed.

**Rep. Bob Skarphol** commented that we could ask the Senate not to concur on this and then discuss the details of this in the conferences.

**Rep. Ken Svedjan, Chairman** asked if there was a discussion of doing a portion of this.

**Rep. Bob Skarphol** answered that they had but they never got the language to get this together, so we never really discussed the possibility of a two stage implementation.

**Rep. Ron Carlisle** moved to further amend with amendment #0207 that would only change the effective date from July 1, 2005 to December 1, 2006.

**Rep. Blair Thoreson** seconded

**Rep. Tom Brusegaard** commented again that this was not a part of the legislative compensation committee recommendations.

**Rep. Ken Svedjan, Chairman** clarified that the motion would change the amount as well as the date in this amendment.

**Rep. Eliot Glassheim** commented that he would resist this because there are too many compensation things going up this session.



**Rep. Blair Thoreson** commented that we should accept this amendment.

**Rep. Ken Svedjan, Chairman** called for a roll call vote on the motion to further amend SB2001 with amendment #0207. Motion failed with a vote of 7 yeas, 16 neas, and 0 absences.

**Rep. Al Carlson** moved to further amend SB2001 by adding that the \$5 per day salary raise for subcommittee chairs be retroactive to the start of this session.

**Rep. Mike Timm, Vice Chairman** seconded and commented that this should be supported because the subcommittee chairs do as much work as any other chair.

**Rep. Ken Svedjan, Chairman** called for a voice vote on the motion to further amend SB2001. Motion carried.

**Rep. Eliot Glassheim** moved a Do Pass As amended motion to SB2001.

**Rep. Al Carlson** seconded

**Rep. Ken Svedjan, Chairman** called for a roll call vote on the Do Pass As Amended motion for SB2001. Motion carried with a vote of 22 yeas, 0 neas and 1 absence. Rep Glassheim will carry the bill to the house floor. (meter Tape #1, side B, #3.8)

**Rep. Ken Svedjan, Chairman** closed the discussion on SB2001.

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2001

Page 1, line 2, after the semicolon insert "to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to compensation of members of the legislative assembly; to provide an effective date;"

Page 3, after line 16, insert:

**"SECTION 5. AMENDMENT.** Section 54-03-20 of the North Dakota Century Code is amended and reenacted as follows:

**54-03-20. Compensation and expense reimbursement of members of the legislative assembly.** Each member of the legislative assembly of the state of North Dakota is entitled to receive as compensation for services the sum of one hundred ~~twenty-five~~ thirty-five dollars for each calendar day during any organizational, special, or regular legislative session and for each day that member attends a meeting of a legislative committee between the organizational session and the regular session as authorized by legislative rule. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed a maximum of six hundred fifty dollars per calendar month for lodging in state, at the rates and in the manner provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session. Members of the legislative assembly who receive reimbursement for lodging are also entitled to reimbursement for travel for not to exceed one round trip taken during any calendar week, or portion of a week, the legislative assembly is in session, between their residences and the place of meeting of the legislative assembly, at the rate provided for state employees with the additional limitation that reimbursement for travel by common carrier may be only at the cost of coach fare and may not exceed one and one-half times the amount the member would be entitled to receive as mileage reimbursement for travel by motor vehicle. A member of the legislative assembly who does not receive reimbursement for lodging and whose place of residence in the legislative district that the member represents is not within the city of Bismarck is entitled to reimbursement at the rate provided for state employees for necessary travel for not to exceed one round trip taken per day between the residence and the place of meeting of the legislative assembly when it is in session and may receive reimbursement for lodging at the place of meeting of the legislative assembly as provided in section 44-08-04 for each calendar day for which round trip travel reimbursement is not claimed, provided that the total reimbursement may not exceed six hundred fifty dollars per month. The amount to which each legislator is entitled must be paid following the organizational session in December and following each month during a regular or special session.

If during a special session, the legislative assembly adjourns for more than three days, a member of the legislative assembly is entitled to receive compensation during those days only while in attendance at a standing committee if the legislator is a member of that committee, a majority or minority leader, or a legislator who is not on that committee but who has the approval of a majority or minority leader to attend. A day, or portion of a day, spent in traveling to or returning from an organizational, special, or regular session or a legislative committee meeting must be included as a calendar day during a legislative session or as a day of a legislative committee meeting for the purposes of this section.

In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of two hundred fifty dollars a month, which is payable every six months or monthly, at the member's option. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member. The majority and minority leaders of the house and senate and the chairman of the legislative council, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of two hundred fifty dollars per month during the biennium for their execution of public duties.

Attendance at any organizational, special, or regular session of the legislative assembly by any member is a conclusive presumption of entitlement as set out in this section and compensation and expense allowances must be excluded from gross income for income tax purposes to the extent permitted for federal income tax purposes under section 127 of the Economic Recovery Tax Act of 1981 [Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 162(i)].

**SECTION 6. EFFECTIVE DATE.** Section 5 of this Act becomes effective December 1, 2006."

Renumber accordingly

Date: March 23, 2005  
Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2001

House Government Performance Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number S8001.0203

Action Taken Do Pass

Motion Made By Rep Skarphol Seconded By Rep Monson

Representatives	Yes	No	Representatives	Yes	No
Chairman Carlson	X		Rep. Glassheim	X	
Vice Chairman Skarphol	X				
Rep. Monson	X				

Total (Yes) 4 No 0

Absent 0

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2001

Page 1, line 2, after the semicolon insert "to provide for application and transfers;"

Page 3, after line 16, insert:

**"SECTION 5. APPLICATION AND TRANSFER AUTHORITY.** North Dakota Century Code sections 54-16-04 and 54-44.1-11 do not apply to chapter 1 of the 2003 Session Laws. Any unexpended funds from the appropriations in chapter 1 of the 2003 Session Laws are available to assist in the cost of the legislative applications replacement project and the director of the office of management and budget and the state treasurer shall make transfers of funds between the line items and the agencies of the legislative branch within section 1 of that chapter as requested by the chairman of the legislative council or the chairman's designee."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

A section is added allowing the legislative branch to continue its unspent 2003-05 biennium appropriation authority beyond June 30, 2005, for the purpose of assisting in the cost of the legislative applications replacement project.

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2001

Page 1, line 2, after the semicolon insert "to amend and reenact section 54-03-10 of the North Dakota Century Code, relating to compensation of appropriations committee division chairmen;"

Page 3, after line 16, insert:

**"SECTION 5. AMENDMENT.** Section 54-03-10 of the North Dakota Century Code is amended and reenacted as follows:

**54-03-10. Compensation of speaker, majority and minority leaders, assistant majority and minority leaders, committee or division chairmen, and employees.** The speaker of the house, the house majority leader, the senate majority leader, the house minority leader, and the senate minority leader shall each receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of ten dollars per day for each calendar day during any regular, special, or organizational session. Chairmen of the substantive standing committees, chairmen of substantive standing committee divisions established by rule of the house or senate, the house assistant majority leader, the senate assistant majority leader, the house assistant minority leader, and the senate assistant minority leader shall receive additional compensation of five dollars for each calendar day during any regular, special, or organizational session. The additional compensation provided by this section must be paid in the manner provided in section 54-03-20. The legislative assembly, by concurrent resolution, shall fix the compensation of the other officers and employees elected or appointed."

Renumber accordingly

Date: March 23, 2005  
Roll Call Vote #: ✓

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO.

House Government Performance Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number S8001.0201, S8001.0202, S8001.0203, New Amendment UN-NAMED

Action Taken DO PASS, AS Amended

Motion Made By Rep Monson Seconded By Rep Skarphol

Representatives	Yes	No	Representatives	Yes	No
Chairman Carlson	X		Rep. Glassheim	X	
Vice Chairman Skarphol	X				
Rep. Monson	X				

Total (Yes) 4 No 0

Absent 0

Floor Assignment Rep Monson

If the vote is on an amendment, briefly indicate intent:

Changes TO ALL Amendments

March 23, 2005

## PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2001

Page 1, line 2, after the semicolon insert "to provide a statement of legislative intent; to amend and reenact sections 54-03-10 and 54-03-20 of the North Dakota Century Code, relating to compensation of appropriations committee division chairmen and compensation of members of the legislative assembly; to provide for applications and transfers; to provide an effective date;"

Page 2, line 5, replace "253,551" with "415,913"

Page 2, line 9, replace "456,700" with "619,062"

Page 2, line 12, replace "255,125" with "251,007"

Page 2, line 16, replace "47,034" with "42,916"

Page 2, line 17, replace "503,734" with "661,978"

Page 2, line 26, replace "5,736,429" with "5,898,791"

Page 2, line 30, replace "9,017,952" with "9,180,314"

Page 3, line 2, replace "5,171,154" with "5,167,036"

Page 3, line 5, replace "7,579,890" with "7,575,772"

Page 3, line 6, replace "16,597,842" with "16,756,086"

Page 3, after line 16, insert:

**"SECTION 5. LEGISLATIVE APPLICATIONS REPLACEMENT SYSTEM GOVERNANCE.** The legislative council shall develop, during the 2005-06 interim, a replacement system for legislative applications. The legislative council staff and the information technology department staff shall develop a project plan and manage the project. The legislative council's interim information technology committee shall review the project plan and may request revisions to the plan before adopting the plan. The project plan must include the appointment of an executive steering committee for the project which must consist of two members from the legislative council staff, two members from the information technology department staff, two legislators, and others as appointed by the legislative council chairman. The project plan must be developed in a phased approach and must include a process for soliciting suggestions from members of the legislative assembly regarding system functions. After completion of a project phase, the information technology committee shall review and approve the deliverables from the completed phase before any expenditure may be made for a subsequent phase. The individual designated as the project manager shall provide reports regarding the project as required by chapters 54-35 and 54-59 and provide any additional information requested by the information technology committee.



**SECTION 6. LEGISLATIVE INTENT - PRINTING OF BILLS AND RESOLUTIONS.** It is the intent of the fifty-ninth legislative assembly that to provide for the space needs of the legislative assembly and to better utilize space in the legislative wing of the state capitol, the legislative council arrange for the printing of bills and resolutions for the sixtieth legislative assembly as requested using computers and high-speed printers rather than printing multiple copies of all bills and having them available in the bill and journal room for the biennium beginning July 1, 2005, and ending June 30, 2007.

**SECTION 7. AMENDMENT.** Section 54-03-10 of the North Dakota Century Code is amended and reenacted as follows:

**54-03-10. Compensation of speaker, majority and minority leaders, assistant majority and minority leaders, committee or division chairmen, and employees.** The speaker of the house, the house majority leader, the senate majority leader, the house minority leader, and the senate minority leader shall each receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of ten dollars per day for each calendar day during any regular, special, or organizational session. Chairmen of the substantive standing committees, chairmen of substantive standing committee divisions established by rule of the house or senate, the house assistant majority leader, the senate assistant majority leader, the house assistant minority leader, and the senate assistant minority leader shall receive additional compensation of five dollars for each calendar day during any regular, special, or organizational session. The additional compensation provided by this section must be paid in the manner provided in section 54-03-20. The legislative assembly, by concurrent resolution, shall fix the compensation of the other officers and employees elected or appointed.

**SECTION 8. AMENDMENT.** Section 54-03-20 of the North Dakota Century Code is amended and reenacted as follows:

**54-03-20. Compensation and expense reimbursement of members of the legislative assembly.** Each member of the legislative assembly of the state of North Dakota is entitled to receive as compensation for services the sum of one hundred ~~twenty-five~~ thirty-five dollars for each calendar day during any organizational, special, or regular legislative session and for each day that member attends a meeting of a legislative committee between the organizational session and the regular session as authorized by legislative rule. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed a maximum of six hundred fifty dollars per calendar month for lodging in state, at the rates and in the manner provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session. Members of the legislative assembly who receive reimbursement for lodging are also entitled to reimbursement for travel for not to exceed one round trip taken during any calendar week, or portion of a week, the legislative assembly is in session, between their residences and the place of meeting of the legislative assembly, at the rate provided for state employees with the additional limitation that reimbursement for travel by common carrier may be only at the cost of coach fare and may not exceed one and one-half times the amount the member would be entitled to receive as mileage reimbursement for travel by motor vehicle. A member of the legislative assembly who does not receive reimbursement for lodging and whose place of residence in the legislative district that the member represents is not within the city of Bismarck is entitled to reimbursement at the rate provided for state employees for necessary travel for not to exceed one round trip taken per day between the residence and the place of meeting of the legislative assembly when it is in session and may receive reimbursement for lodging at the place of meeting of the legislative assembly as provided in section 44-08-04 for each calendar day for which round trip travel reimbursement is not claimed, provided that the total reimbursement may not exceed six hundred fifty dollars per month. The amount to which each legislator is entitled must be paid following the organizational session in December and following each month during a regular or special session.

If during a special session, the legislative assembly adjourns for more than three days, a member of the legislative assembly is entitled to receive compensation during those days only while in attendance at a standing committee if the legislator is a member of that committee, a majority or minority leader, or a legislator who is not on that committee but who has the approval of a majority or minority leader to attend. A day, or portion of a day, spent in traveling to or returning from an organizational, special, or regular session or a legislative committee meeting must be included as a calendar day during a legislative session or as a day of a legislative committee meeting for the purposes of this section.

In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of two hundred fifty dollars a month, which is payable every six months or monthly, at the member's option. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member. The majority and minority leaders of the house and senate and the chairman of the legislative council, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of two hundred fifty dollars per month during the biennium for their execution of public duties.

Attendance at any organizational, special, or regular session of the legislative assembly by any member is a conclusive presumption of entitlement as set out in this section and compensation and expense allowances must be excluded from gross income for income tax purposes to the extent permitted for federal income tax purposes under section 127 of the Economic Recovery Tax Act of 1981 [Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 162(i)].

**SECTION 9. APPLICATION AND TRANSFER AUTHORITY.** North Dakota Century Code sections 54-16-04 and 54-44.1-11 do not apply to chapter 1 of the 2003 Session Laws. Any unexpended funds from the appropriations in chapter 1 of the 2003 Session Laws are available to assist in the cost of the legislative applications replacement project, including preplanning costs. The director of the office of management and budget and the state treasurer shall make transfers of funds between the line items and the agencies of the legislative branch within section 1 of that chapter as requested by the chairman of the legislative council or the chairman's designee.

**SECTION 10. EFFECTIVE DATE.** Section 8 of this Act becomes effective December 1, 2006."

Renumber accordingly

# **STATEMENT OF PURPOSE OF AMENDMENT:**

## **Senate Bill No. 2001 - Summary of House Action**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Legislative Assembly				
Total all funds	\$13,117,952	\$9,017,952	\$162,362	\$9,180,314
Less estimated income				
General fund	\$13,117,952	\$9,017,952	\$162,362	\$9,180,314
Legislative Council				
Total all funds	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772
Less estimated income				
General fund	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772
Bill Total				
Total all funds	\$20,716,548	\$16,597,842	\$158,244	\$16,756,086
Less estimated income				
General fund	\$20,716,548	\$16,597,842	\$158,244	\$16,756,086

# Senate Bill No. 2001 - Legislative Assembly - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$5,738,429	\$5,738,429	\$162,362	\$5,898,791
Operating expenses	2,997,773	2,997,773		2,997,773
Capital assets	6,000	106,000		106,000
National Conference of State Legislatures	177,750	177,750		177,750
Legislative applications replacement	<u>4,200,000</u>			
Total all funds	\$13,117,952	\$9,017,952	\$162,362	\$9,180,314
Less estimated income				
General fund	\$13,117,952	\$9,017,952	\$162,362	\$9,180,314
FTE	0.00	0.00	0.00	0.00

## Dept. 150 - Legislative Assembly - Detail of House Changes

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE	ADDS FUNDING FOR LEGISLATOR PAY INCREASE 1	ADDS FUNDING FOR DIVISION CHAIRMAN PAY 2	TOTAL HOUSE CHANGES
Salaries and wages	(\$16,100)	\$176,072	\$2,390	\$162,362
Operating expenses				
Capital assets				
National Conference of State Legislatures				
Legislative applications replacement				
Total all funds	(\$16,100)	\$176,072	\$2,390	\$162,362
Less estimated income				
General fund	(\$16,100)	\$176,072	\$2,390	\$162,362
FTE	0.00	0.00	0.00	0.00

1 A section is added increasing legislator pay during legislative sessions by \$10 per day, from \$125 to \$135 per day, effective December 1, 2006.

2 A section is added providing that chairmen of standing committee divisions receive an additional \$5 per day during legislative sessions, the same as standing committee chairmen.

A section is added providing for the development of a project plan for the legislative applications replacement system computer project.

A section is added allowing for continuation of any unspent 2003-05 biennium appropriation authority of the legislative branch for costs of the legislative applications replacement system computer project.

A section of legislative intent is added that the Legislative Council arrange for bills and resolutions of the 2007 legislative session to be printed on-demand using computers and high-speed printers rather than through printing contract to reduce costs and make available space now used for the bill and journal room for other legislative uses.

## Senate Bill No. 2001 - Legislative Council - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$5,189,860	\$5,171,154	(\$4,118)	\$5,167,036
Operating expenses	2,367,736	2,367,736		2,367,736
Capital assets	<u>41,000</u>	<u>41,000</u>		<u>41,000</u>
Total all funds	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772
Less estimated income				
General fund	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772
FTE	33.00	33.00	0.00	33.00

## Dept. 160 - Legislative Council - Detail of House Changes

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE	TOTAL HOUSE CHANGES
Salaries and wages	(\$4,118)	(\$4,118)
Operating expenses		
Capital assets		

Total all funds	(\$4,118)	(\$4,118)
Less estimated income	<u>          </u>	<u>          </u>
General fund	(\$4,118)	(\$4,118)
FTE	0.00	0.00

Date: March 24, 2005

Roll Call Vote #:

**2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. *SB 2001***

House

Committee



Legislative Council Amendment Number

### Action Taken

**Motion Made By**

Seconded By

[illegible]

Total

Absent

## Floor Assignment

If the vote is on an amendment, briefly indicate intent:

## Changes to Amendment

March 24, 2005

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2001

Page 1, line 2, after the semicolon insert "to provide a statement of legislative intent; to amend and reenact sections 54-03-10 and 54-03-20 of the North Dakota Century Code, relating to compensation of appropriations committee division chairmen and compensation of members of the legislative assembly; to provide for applications and transfers; to provide an effective date;"

Page 2, line 5, replace "253,551" with "415,913"

Page 2, line 9, replace "456,700" with "619,062"

Page 2, line 12, replace "255,125" with "251,007"

Page 2, line 16, replace "47,034" with "42,916"

Page 2, line 17, replace "503,734" with "661,978"

Page 2, line 26, replace "5,736,429" with "5,898,791"

Page 2, line 30, replace "9,017,952" with "9,180,314"

Page 3, line 2, replace "5,171,154" with "5,167,036"

Page 3, line 5, replace "7,579,890" with "7,575,772"

Page 3, line 6, replace "16,597,842" with "16,756,086"

Page 3, after line 16, insert:

**"SECTION 5. LEGISLATIVE APPLICATIONS REPLACEMENT SYSTEM GOVERNANCE.** The legislative council shall develop, during the 2005-06 interim, a design, an analysis, and a plan for implementation of a replacement system for legislative applications. The legislative council staff and the information technology department staff shall develop a project plan and manage the project. The legislative council's interim information technology committee shall review the project plan and may request revisions to the plan before adopting the plan. The project plan must include the appointment of an executive steering committee for the project which must consist of two members from the legislative council staff, two members from the information technology department staff, two legislators, and others as appointed by the legislative council chairman. The project plan must be developed in a phased approach and must include a process for soliciting suggestions from members of the legislative assembly regarding system functions. After completion of a project phase, the information technology committee shall review and approve the deliverables from the completed phase before any consideration may be made for a subsequent phase. The individual designated as the project manager shall provide reports regarding the project as required by chapters 54-35 and 54-59 and provide any additional information requested by the information technology committee.

**SECTION 6. LEGISLATIVE INTENT - PRINTING OF BILLS AND RESOLUTIONS.** It is the intent of the fifty-ninth legislative assembly that to provide for the space needs of the legislative assembly and to better utilize space in the legislative wing of the state capitol, the legislative council arrange for the printing of bills and resolutions for the sixtieth legislative assembly as requested using computers and high-speed printers rather than printing multiple copies of all bills and having them available in the bill and journal room for the biennium beginning July 1, 2005, and ending June 30, 2007.

**SECTION 7. AMENDMENT.** Section 54-03-10 of the North Dakota Century Code is amended and reenacted as follows:

**54-03-10. Compensation of speaker, majority and minority leaders, assistant majority and minority leaders, committee or division chairmen, and employees.** The speaker of the house, the house majority leader, the senate majority leader, the house minority leader, and the senate minority leader shall each receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of ten dollars per day for each calendar day during any regular, special, or organizational session. Chairmen of the substantive standing committees, chairmen of substantive standing committee divisions established by rule of the house or senate, the house assistant majority leader, the senate assistant majority leader, the house assistant minority leader, and the senate assistant minority leader shall receive additional compensation of five dollars for each calendar day during any regular, special, or organizational session. The additional compensation provided by this section must be paid in the manner provided in section 54-03-20. The legislative assembly, by concurrent resolution, shall fix the compensation of the other officers and employees elected or appointed.

**SECTION 8. AMENDMENT.** Section 54-03-20 of the North Dakota Century Code is amended and reenacted as follows:

**54-03-20. Compensation and expense reimbursement of members of the legislative assembly.** Each member of the legislative assembly of the state of North Dakota is entitled to receive as compensation for services the sum of one hundred ~~twenty-five~~ thirty-five dollars for each calendar day during any organizational, special, or regular legislative session and for each day that member attends a meeting of a legislative committee between the organizational session and the regular session as authorized by legislative rule. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed a maximum of six hundred fifty dollars per calendar month for lodging in state, at the rates and in the manner provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session. Members of the legislative assembly who receive reimbursement for lodging are also entitled to reimbursement for travel for not to exceed one round trip taken during any calendar week, or portion of a week, the legislative assembly is in session, between their residences and the place of meeting of the legislative assembly, at the rate provided for state employees with the additional limitation that reimbursement for travel by common carrier may be only at the cost of coach fare and may not exceed one and one-half times the amount the member would be entitled to receive as mileage reimbursement for travel by motor vehicle. A member of the legislative assembly who does not receive reimbursement for lodging and whose place of residence in the legislative district that the member represents is not within the city of Bismarck is entitled to reimbursement at the rate provided for state employees for necessary travel for not to exceed one round trip taken per day between the residence and the place of meeting of the legislative assembly when it is in session and may receive reimbursement for lodging at the place of meeting of the legislative assembly as provided in section 44-08-04 for each calendar day for which round trip travel reimbursement is not claimed, provided that the total reimbursement may not exceed six hundred fifty dollars per month. The amount to which each legislator is entitled must be paid following the organizational session in December and following each month during a regular or special session.

If during a special session, the legislative assembly adjourns for more than three days, a member of the legislative assembly is entitled to receive compensation during those days only while in attendance at a standing committee if the legislator is a member of that committee, a majority or minority leader, or a legislator who is not on that committee but who has the approval of a majority or minority leader to attend. A day, or portion of a day, spent in traveling to or returning from an organizational, special, or regular session or a legislative committee meeting must be included as a calendar day during a legislative session or as a day of a legislative committee meeting for the purposes of this section.

In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of two hundred fifty dollars a month, which is payable every six months or monthly, at the member's option. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member. The majority and minority leaders of the house and senate and the chairman of the legislative council, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of two hundred fifty dollars per month during the biennium for their execution of public duties.

Attendance at any organizational, special, or regular session of the legislative assembly by any member is a conclusive presumption of entitlement as set out in this section and compensation and expense allowances must be excluded from gross income for income tax purposes to the extent permitted for federal income tax purposes under section 127 of the Economic Recovery Tax Act of 1981 [Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 162(i)].

**SECTION 9. APPLICATION AND TRANSFER AUTHORITY.** North Dakota Century Code sections 54-16-04 and 54-44.1-11 do not apply to chapter 1 of the 2003 Session Laws. Any unexpended funds from the appropriations in chapter 1 of the 2003 Session Laws are available to assist in the cost of the legislative applications replacement project, including preplanning costs. The director of the office of management and budget and the state treasurer shall make transfers of funds between the line items and the agencies of the legislative branch within section 1 of that chapter as requested by the chairman of the legislative council or the chairman's designee.

**SECTION 10. EFFECTIVE DATE.** Section 8 of this Act becomes effective December 1, 2006."

Renumber accordingly

# **STATEMENT OF PURPOSE OF AMENDMENT:**

## **Senate Bill No. 2001 - Summary of House Action**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Legislative Assembly				
Total all funds	\$13,117,952	\$9,017,952	\$162,362	\$9,180,314
Less estimated income				
General fund	\$13,117,952	\$9,017,952	\$162,362	\$9,180,314
Legislative Council				
Total all funds	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772
Less estimated income				
General fund	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772
Bill Total				
Total all funds	\$20,716,548	\$16,597,842	\$158,244	\$16,756,086
Less estimated income				
General fund	\$20,716,548	\$16,597,842	\$158,244	\$16,756,086



# Senate Bill No. 2001 - Legislative Assembly - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$5,736,429	\$5,736,429	\$162,362	\$5,898,791
Operating expenses	2,997,773	2,997,773		2,997,773
Capital assets	6,000	106,000		106,000
National Conference of State Legislatures	177,750	177,750		177,750
Legislative applications replacement	4,200,000			
Total all funds	\$13,117,952	\$9,017,952	\$162,362	\$9,180,314
Less estimated income				
General fund	\$13,117,952	\$9,017,952	\$162,362	\$9,180,314
FTE	0.00	0.00	0.00	0.00

## Dept. 150 - Legislative Assembly - Detail of House Changes

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE	ADDS FUNDING FOR LEGISLATOR PAY INCREASE 1	ADDS FUNDING FOR DIVISION CHAIRMEN PAY 2	TOTAL HOUSE CHANGES
Salaries and wages	(\$16,100)	\$176,072	\$2,390	\$162,362
Operating expenses				
Capital assets				
National Conference of State Legislatures				
Legislative applications replacement				
Total all funds	(\$16,100)	\$176,072	\$2,390	\$162,362
Less estimated income				
General fund	(\$16,100)	\$176,072	\$2,390	\$162,362
FTE	0.00	0.00	0.00	0.00

1 A section is added increasing legislator pay during legislative sessions by \$10 per day, from \$125 to \$135 per day, effective December 1, 2006.

2 A section is added providing that chairmen of standing committee divisions receive an additional \$5 per day during legislative sessions, the same as standing committee chairmen.

A section is added providing for the development of a project plan for the legislative applications replacement system computer project.

A section is added allowing for continuation of any unspent 2003-05 biennium appropriation authority of the legislative branch for costs of the legislative applications replacement system computer project.

A section of legislative intent is added that the Legislative Council arrange for bills and resolutions of the 2007 legislative session to be printed on-demand using computers and high-speed printers rather than through printing contract to reduce costs and make available space now used for the bill and journal room for other legislative uses.

## Senate Bill No. 2001 - Legislative Council - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$5,189,860	\$5,171,154	(\$4,118)	\$5,167,036
Operating expenses	2,367,736	2,367,736		2,367,736
Capital assets	41,000	41,000		41,000
Total all funds	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772
Less estimated income				
General fund	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772
FTE	33.00	33.00	0.00	33.00

## Dept. 160 - Legislative Council - Detail of House Changes

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE	TOTAL HOUSE CHANGES
Salaries and wages	(\$4,118)	(\$4,118)
Operating expenses		
Capital assets		

Total all funds	(\$4,118)	(\$4,118)
Less estimated income	<u>          </u>	<u>          </u>
General fund	(\$4,118)	(\$4,118)
FTE	0.00	0.00

Date: March 24, 2005  
Roll Call Vote #:

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2001

House Government Performance Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number SB 001.0209

Action Taken Do Pass, As Amended

Motion Made By Rep. <sup>Skarphol</sup> ~~Monson~~ Seconded By Rep. <sup>Monson</sup> ~~Skarphol~~

Representatives	Yes	No	Representatives	Yes	No
Chairman Carlson	X		Rep. Glassheim	X	
Vice Chairman Skarphol	X				
Rep. Monson	X				

Total (Yes) 4 No 0

Absent 0

Floor Assignment Rep. Skarphol

If the vote is on an amendment, briefly indicate intent:

Date: March 24, 2005  
Roll Call Vote #: 1

**2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. SB2001**

House Appropriations - Full Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 58001.0210

Action Taken DO PASS AS AMENDED

Motion Made By Rep Glassheim Seconded By Rep Carlson

Representatives	Yes	No	Representatives	Yes	No
Rep. Ken Svedjan, Chairman	X		Rep. Bob Skarphol	X	
Rep. Mike Timm, Vice Chairman	X		Rep. David Monson	X	
Rep. Bob Martinson	X		Rep. Eliot Glassheim	X	
Rep. Tom Brusegaard	X		Rep. Jeff Delzer	X	
Rep. Earl Rennerfeldt	X		Rep. Chet Pollert	X	
Rep. Francis J. Wald	X		Rep. Larry Bellew	X	
Rep. Ole Aarsvold	X		Rep. Alon C. Wieland	X	
Rep. Pam Gulleeson	X		Rep. James Kerzman	AB	
Rep. Ron Carlisle	X		Rep. Ralph Metcalf	X	
Rep. Keith Kempenich	X				
Rep. Blair Thoreson	X				
Rep. Joe Kroeber	X				
Rep. Clark Williams	X				
Rep. Al Carlson	X				

Total Yes 22 No 0

Absent 1

Floor Assignment Rep Glassheim

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

SB 2001, as engrossed: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (22 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2001 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "to provide a statement of legislative intent; to amend and reenact sections 54-03-10 and 54-03-20 of the North Dakota Century Code, relating to compensation of appropriations committee division chairmen and compensation of members of the legislative assembly; to provide for applications and transfers; to provide an effective date; to provide for retroactive application;"

Page 2, line 5, replace "253,551" with "415,913"

Page 2, line 9, replace "456,700" with "619,062"

Page 2, line 12, replace "255,125" with "251,007"

Page 2, line 16, replace "47,034" with "42,916"

Page 2, line 17, replace "503,734" with "661,978"

Page 2, line 26, replace "5,736,429" with "5,898,791"

Page 2, line 30, replace "9,017,952" with "9,180,314"

Page 3, line 2, replace "5,171,154" with "5,167,036"

Page 3, line 5, replace "7,579,890" with "7,575,772"

Page 3, line 6, replace "16,597,842" with "16,756,086"

Page 3, after line 16, insert:

**"SECTION 5. LEGISLATIVE APPLICATIONS REPLACEMENT SYSTEM GOVERNANCE.** The legislative council shall develop, during the 2005-06 interim, a design, an analysis, and a plan for implementation of a replacement system for legislative applications. The legislative council staff and the information technology department staff shall develop a project plan and manage the project. The legislative council's interim information technology committee shall review the project plan and may request revisions to the plan before adopting the plan. The project plan must include the appointment of an executive steering committee for the project which must consist of two members from the legislative council staff, two members from the information technology department staff, two legislators, and others as appointed by the legislative council chairman. The project plan must be developed in a phased approach and must include a process for soliciting suggestions from members of the legislative assembly regarding system functions. After completion of a project phase, the information technology committee shall review and approve the deliverables from the completed phase before any consideration may be made for a subsequent phase. The individual designated as the project manager shall provide reports regarding the project as required by chapters 54-35 and 54-59 and provide any additional information requested by the information technology committee.

**SECTION 6. LEGISLATIVE INTENT - PRINTING OF BILLS AND RESOLUTIONS.** It is the intent of the fifty-ninth legislative assembly that to provide for the space needs of the legislative assembly and to better utilize space in the legislative wing of the state capitol, the legislative council arrange for the printing of bills and

resolutions for the sixtieth legislative assembly as requested using computers and high-speed printers rather than printing multiple copies of all bills and having them available in the bill and journal room for the biennium beginning July 1, 2005, and ending June 30, 2007.

**SECTION 7. AMENDMENT.** Section 54-03-10 of the North Dakota Century Code is amended and reenacted as follows:

**54-03-10. Compensation of speaker, majority and minority leaders, assistant majority and minority leaders, committee or division chairmen, and employees.** The speaker of the house, the house majority leader, the senate majority leader, the house minority leader, and the senate minority leader shall each receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of ten dollars per day for each calendar day during any regular, special, or organizational session. Chairmen of the substantive standing committees, chairmen of substantive standing committee divisions established by rule of the house or senate, the house assistant majority leader, the senate assistant majority leader, the house assistant minority leader, and the senate assistant minority leader shall receive additional compensation of five dollars for each calendar day during any regular, special, or organizational session. The additional compensation provided by this section must be paid in the manner provided in section 54-03-20. The legislative assembly, by concurrent resolution, shall fix the compensation of the other officers and employees elected or appointed.

**SECTION 8. AMENDMENT.** Section 54-03-20 of the North Dakota Century Code is amended and reenacted as follows:

**54-03-20. Compensation and expense reimbursement of members of the legislative assembly.** Each member of the legislative assembly of the state of North Dakota is entitled to receive as compensation for services the sum of one hundred ~~twenty-five~~thirty-five dollars for each calendar day during any organizational, special, or regular legislative session and for each day that member attends a meeting of a legislative committee between the organizational session and the regular session as authorized by legislative rule. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed a maximum of six hundred fifty dollars per calendar month for lodging in state, at the rates and in the manner provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session. Members of the legislative assembly who receive reimbursement for lodging are also entitled to reimbursement for travel for not to exceed one round trip taken during any calendar week, or portion of a week, the legislative assembly is in session, between their residences and the place of meeting of the legislative assembly, at the rate provided for state employees with the additional limitation that reimbursement for travel by common carrier may be only at the cost of coach fare and may not exceed one and one-half times the amount the member would be entitled to receive as mileage reimbursement for travel by motor vehicle. A member of the legislative assembly who does not receive reimbursement for lodging and whose place of residence in the legislative district that the member represents is not within the city of Bismarck is entitled to reimbursement at the rate provided for state employees for necessary travel for not to exceed one round trip taken per day between the residence and the place of meeting of the legislative assembly when it is in session and may receive reimbursement for lodging at the place of meeting of the legislative assembly as provided in section 44-08-04 for each calendar day for which round trip travel reimbursement is not claimed, provided that the total reimbursement may not exceed six hundred fifty dollars per month. The amount to which each legislator is entitled must be paid following the organizational session in December and following each month during a regular or special session.

If during a special session, the legislative assembly adjourns for more than three days, a member of the legislative assembly is entitled to receive compensation during those days only while in attendance at a standing committee if the legislator is a member of that committee, a majority or minority leader, or a legislator who is not on that committee but who has the approval of a majority or minority leader to attend. A day, or portion of a day, spent in traveling to or returning from an organizational, special, or regular session or a legislative committee meeting must be included as a calendar day during a legislative session or as a day of a legislative committee meeting for the purposes of this section.

In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of two hundred fifty dollars a month, which is payable every six months or monthly, at the member's option. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member. The majority and minority leaders of the house and senate and the chairman of the legislative council, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of two hundred fifty dollars per month during the biennium for their execution of public duties.

Attendance at any organizational, special, or regular session of the legislative assembly by any member is a conclusive presumption of entitlement as set out in this section and compensation and expense allowances must be excluded from gross income for income tax purposes to the extent permitted for federal income tax purposes under section 127 of the Economic Recovery Tax Act of 1981 [Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 162(i)].

**SECTION 9. APPLICATION AND TRANSFER AUTHORITY.** North Dakota Century Code sections 54-16-04 and 54-44.1-11 do not apply to chapter 1 of the 2003 Session Laws. Any unexpended funds from the appropriations in chapter 1 of the 2003 Session Laws are available to assist in the cost of the legislative applications replacement project, including preplanning costs. The director of the office of management and budget and the state treasurer shall make transfers of funds between the line items and the agencies of the legislative branch within section 1 of that chapter as requested by the chairman of the legislative council or the chairman's designee.

**SECTION 10. EFFECTIVE DATE.** Section 8 of this Act becomes effective December 1, 2006.

**SECTION 11. RETROACTIVE APPLICATION.** Section 7 of this Act is retroactive in application to January 1, 2005."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2001 - Summary of House Action**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Legislative Assembly				
Total all funds	\$13,117,952	\$9,017,952	\$162,362	\$9,180,314
Less estimated income				
General fund	\$13,117,952	\$9,017,952	\$162,362	\$9,180,314

Legislative Council

(2) DESK, (3) COMM

Total all funds	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772
Less estimated income				
General fund	<u>\$7,598,596</u>	<u>\$7,579,890</u>	<u>(\$4,118)</u>	<u>\$7,575,772</u>
Bill Total				
Total all funds	\$20,716,548	\$16,597,842	\$158,244	\$16,756,086
Less estimated income				
General fund	<u>\$20,716,548</u>	<u>\$16,597,842</u>	<u>\$158,244</u>	<u>\$16,756,086</u>

**Senate Bill No. 2001 - Legislative Assembly - House Action**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$5,736,429	\$5,736,429	\$162,362	\$5,898,791
Operating expenses	2,997,773	2,997,773		2,997,773
Capital assets	6,000	106,000		106,000
National Conference of State Legislatures	177,750	177,750		177,750
Legislative applications replacement	<u>4,200,000</u>			
Total all funds	\$13,117,952	\$9,017,952	\$162,362	\$9,180,314
Less estimated income				
General fund	<u>\$13,117,952</u>	<u>\$9,017,952</u>	<u>\$162,362</u>	<u>\$9,180,314</u>
FTE	0.00	0.00	0.00	0.00

**Dept. 150 - Legislative Assembly - Detail of House Changes**

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE	ADDS FUNDING FOR LEGISLATOR PAY INCREASE <sup>1</sup>	ADDS FUNDING FOR DIVISION CHAIRMEN PAY <sup>2</sup>	TOTAL HOUSE CHANGES
Salaries and wages	(\$16,100)	\$176,072	\$2,390	\$162,362
Operating expenses				
Capital assets				
National Conference of State Legislatures				
Legislative applications replacement				
Total all funds	(\$16,100)	\$176,072	\$2,390	\$162,362
Less estimated income				
General fund	<u>(\$16,100)</u>	<u>\$176,072</u>	<u>\$2,390</u>	<u>\$162,362</u>
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> A section is added increasing legislator pay during legislative sessions by \$10 per day, from \$125 to \$135 per day, effective December 1, 2006.

<sup>2</sup> A section is added providing that chairmen of standing committee divisions receive an additional \$5 per day during legislative sessions, the same as standing committee chairmen, which is retroactive to January 1, 2005.

A section is added providing for the development of a project plan for the legislative applications replacement system computer project.

A section is added allowing for continuation of any unspent 2003-05 biennium appropriation authority of the legislative branch for costs of the legislative applications replacement system computer project.

A section of legislative intent is added that the Legislative Council arrange for bills and resolutions of the 2007 legislative session to be printed on-demand using computers and high-speed printers rather than through printing contract to reduce costs and make available space now used for the bill and journal room for other legislative uses.



Senate Bill No. 2001 - Legislative Council - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$5,189,860	\$5,171,154	(\$4,118)	\$5,167,036
Operating expenses	2,367,736	2,367,736		2,367,736
Capital assets	<u>41,000</u>	<u>41,000</u>		<u>41,000</u>
Total all funds	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772
Less estimated income				
General fund	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772
FTE	33.00	33.00	0.00	33.00

Dept. 160 - Legislative Council - Detail of House Changes

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE	TOTAL HOUSE CHANGES
Salaries and wages	(\$4,118)	(\$4,118)
Operating expenses		
Capital assets		
Total all funds	(\$4,118)	(\$4,118)
Less estimated income		
General fund	(\$4,118)	(\$4,118)
FTE	0.00	0.00

2005 SENATE APPROPRIATIONS

CONFERENCE COMMITTEE

SB 2001

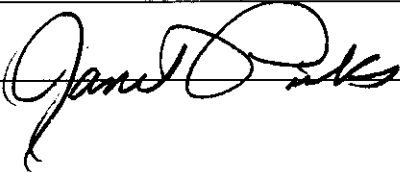
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2001

Senate Appropriations Committee

☒ Conference Committee

Hearing Date April 7, 2005

Tape Number	Side A	Side B	Meter #
1	a		5,088 - 1392
Committee Clerk Signature 			

Minutes:

**Senator Holmberg** opened the conference committee discussion on SB 2001 with roll call.

**Representative Monson** reviewed the changes on SB 2001 indicating that with the Legislative Applications Replacement Systems, the house wants dialog between IT and the Legislative Council to develop a project plan and manage plan. The Legislative Council information technology shall review the project plan and may request revisions before adopting the plan. The project plan must include the appointment of an executive steering committee for the project which will consist of two members from the Legislative Council Staff, two members from the Information Technology Department Staff, two Legislators and others as appointed by the Legislative Council. The idea is to get dialogue between the Legislators, Legislative Council Staff, and the IT staff to come up with a plan that we can start moving off the main frame, getting new software packages as needed and adapting our laws and all systems we have into a newer format. The project must be developed in a phase approach with perhaps two to three phases,

which must include a process for soliciting suggestions from members of the Legislative Assembly regarding system functions. After completing the project phase, the IT committee shall review and approve the deliverable from that phase before moving to another phase. The individual designated as the project manager shall provide reports regarding the project as required by the NDCC and provide any additional information requested by the IT committee. Section 6 Legislative Intent, printing of bills and resolutions may be a waste of money, it may perhaps be better to have a high speed printer and print the bills at the time they are requested. This may be checked out further. If this happens, it would free up another room for a committee. Section 7 legislative pay for section chairman was not covered at the extra \$5 a day and a new bill had to go into effect before they received it. Section 8 is compensation and expenses reimbursement to members of the Legislative Assembly which consists of one change increasing to \$135 a day. This hasn't been changed since 2001 and will go into effect in 2007. Section 9 deals with money in the Legislative Council budget for turn back funds would be retained to use to help get started on the planning and getting the software package going. Section 10 deals with the effective date of Section 8. Section 11 deals with the effective date for Section 7.

**Senator Holmberg** asked questions about the bill room and utilizing printers and the difficulty of having a bottle neck with requests.

**Representative Monson** felt that bills could be printed off pretty quickly and everyone also has access via the computer.

**Senator Holmberg** asked questions about remodeling the cloak and bill rooms and the \$100,000. He asked if this may be too restrictive.

**Representative Monson** indicated the plans for the cloak room would involve utilizing the stage in the Brynhild Haugland room and removing shelving from the bill room.

**Senator Holmberg** indicated that they had taken an informal survey regarding the representative locker room and the possibility of utilizing that area.

**Representative Monson** indicated that had been discussed. There is a facility management committee that will be reviewing that.

**Senator Holmberg** indicated concerns about locking in the language in this bill.

**Senator Kringstad** expressed concerns about the coat room and the stage being at different levels.

**Representative Monson** indicated Representative Skarphol drafted an amendment for Section 5 because they didn't feel the language was complete enough and some language may still have to be changed. After completion of the design, analysis, and planning stage provided for in Section 5, the Legislative Council shall develop a request for proposals to be distributed to potential providers to implement the next phase of the approach. If a collected vendors proposal to implement all phases is \$4.2 million or less, the Legislative Council may proceed with the project subject to the amount of funding available and budget section approval. If the proposal (s) exceeds that amount, the Legislative Council shall present to the budget section the recommendation as to how to proceed with the project and may only proceed after receiving budget section approval. This will be over two biennium's.

**Senator Holmberg** asked if we aren't setting up the next session because we are stating if the bids come in at more, in essence one could argue that the budget section is appropriating that money.

Page 4

Senate Appropriations Committee

Bill/Resolution Number 2001

Hearing Date April 7, 2005

**Representative Monson** indicated this is really done all the time and we are saying if it goes over \$4.2 million, I don't think the budget section would approve it.

**Senator Holmberg** adjourned the conference committee asking that if there are additional amendments to please have them prepared and he will look at how the governance handles this.

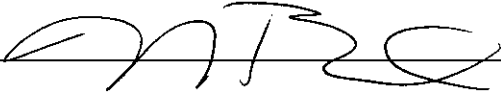
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. **SB 2007**

Senate Appropriations Committee

☒ Conference Committee

Hearing Date **04/08/05**

Tape Number	Side A	Side B	Meter #
2	x		2053-2786
Committee Clerk Signature 			

Minutes: **Chairman Holmberg** called meeting to order. Roll was taken, all members were present. /

**Chairman Holmberg:** Last time we walked through the bill. We also talked about the language and not tying them to a specific room.

**Rep. Monson: (2290)** Regarding Section 9, We have give authority to Legislative Council to use left over money to get started on their software system. One of the of the other conference committees settled the lodging bill. There is a problem if the emergency clause does not carry.

**Chairman Holmberg:** Could you walk through the scenarios?

**Mr. Walstad:** If SB 2059 has a retro active date and an emergency clause it goes to August 1. If the retro active date will takes effect, it would come out of the next biennium.

**Rep. Monson:** How much money will that be? Is it anyone's guess?

**Allen Knutson, Legislative Council:** \$575,000 if we do not go over our days this session. We reduced it \$125,000 because of the retro active bill.

Page 2

Senate Appropriations Committee

Bill/Resolution Number **SB 2001**

Hearing Date **04/08/05**

**Chairman Holmberg:** If the emergency clause carries, there would be reimbursement now. If not it would come after August 1st. The leaders are going to talk about other issues.

**Rep. Monson:** Do you have any other concerns?

**Chairman Holmberg:** Not at this time.

**Chairman Holmberg adjourned meeting.**



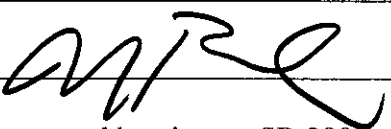
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2001

Senate Appropriations Committee

☒ Conference Committee

Hearing Date **04-13-05**

Tape Number	Side A	Side B	Meter #
1	x		0-948
Committee Clerk Signature 			

Minutes: **Chairman Holmberg** opened hearing on SB 2001

**Chairman Holmberg** indicated to the committee that there were 2 items that they had differences on. Those were, the language regarding the application system. LC and IT managing a project together for the legislature made them nervous. The second was regarding the \$10.

**Sen. Kringstad** moved that the House RECEDE and that we concur, seconded by **Sen. Lindaas**.

**Rep. Monson:** You are wanting to take out section 6? We also reduced the health insurance, so we need to further...

**Chairman Holmberg:** That motion would remove sections, 5,6,8,9,10,11, and 12.

**Rep. Monson:** Well, section 6 is legislative intent. In section 8 we came up with some creative thinking and we would hate for all of that to go out the window.

**Sen. Kringstad:** I am against the \$10 raise, because of the raise in lodging. The public will not be supportive of this.

**Rep. Monson:** The public's view is always important, but we need to keep in mind inflation and the constant rise in the cost of living.

**Chairman Holmberg:** We also need to remember that interim meetings and the costs associated with service as a legislator the rest of the year.

**Rep. Monson:** That is a good point.

**Chairman Holmberg:** The amendment regarding HB 1015 would be put on in this room by our full committee.

**Rep. Glassheim (777):** So regarding the previous motion, there is no advance on the LC computer system?

**Chairman Holmberg:** No, that would be taken out. Except for the \$575,000.

**A roll call vote was taken on the first motion made by Sen. Kringstad. It did not pass, all Senators voting yea and all Representatives voting nay.**

**Sen. Kringstad made another motion for the Senate to concur with the House amendments, Sen. Lindaas seconded. Motion passed with all members of the conference committee voting yea.**

**Chairman Holmberg closed hearing.**

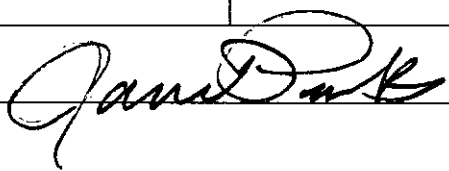
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2001

Senate Appropriations Committee

☒ Conference Committee

Hearing Date April 18, 2005

Tape Number	Side A	Side B	Meter #
3	a		829 - 3509
Committee Clerk Signature 			

Minutes:

**Senator Holmberg** opened the conference committee meeting with roll call. He indicated there was not a lot of success on the floor on the proposal so I asked for an amendment to be drawn up for this committees consideration. He then distributed amendment .0215 indicated the bill had a structure utilizing interim ITD and the Legislative Council staff. The Senate had some problems with that. The first section talks about the LC and IT working together. It has a roll for the legislative management committee for reviewing and adopting. The council can appoint a steering group for the project and must be a phased approach. Upon completion, the legislative management committee shall review. The second section talks about the management committee study and whether we would change the method of getting bills out; printing vs. High speed printers on site. The third section deals with the new committee room location. The council shall consider studying this and will report their findings. I believe all of the things the House wanted to accomplish are in this amendment with the exception of giving the dual role to IT staff

and Legislative council staff and making sure the Council and the Management Committee are the ones in the drivers seat.

**Representative Monson** questioned section 7, which indicates additional rooms are needed. He wondered if this refers to the \$100,000 that was put in another bill to remodel rooms including furniture.

**Senator Holmberg** indicated there is also another \$100,000 in the OMB budget for this remodeling of the room and the Legislative Council will also be able to extend other carryover funds they have with a cap of \$200,000. It doesn't lock into a particular room. The Legislative Council could use money interchangeably. He asked the committee if it would make sense that at this stage we take the money, put it in here and eliminate that as an amendment in HB 1015.

**Senator Carlson** questioned the carryover money being put in here.

**Senator Holmberg** asked for the views of the committee on moving the \$100,000 to this budget and make it \$200,000 and make it a line item in the budget for remodeling, renovation, refurnishing.

**Senator Monson** asked about the revision to get the law system updated and started as in Section 9 of amendment .0300.

**Representative Skarphol** indicated there was an appropriation made in 2003 which allows that appropriation to continue into the next biennium so we don't need any appropriation.

**Representative Carlson** indicated there seems to be sections 7 and 8 of the amendments missing.

**Senator Holmberg** indicated those sections did not garner a lot of support from the Senate. Other things done in the bill were fine.

**Representative Glassheim** asked if the amendments allowed for moving ahead with the replacement system once it has gone through during the interim with the money available.

**Representative Monson** indicated that is what is permitted in Section 9 in .0300. He also questioned Section 6 and 7 on .0215. The intent is that Legislative Management study this, but it says Legislative Council.

Further discussion carried on about Legislative Council and Legislative Management. John of the Legislative Council was asked about the language and he indicated that when the language states consider that makes a bill like a resolution and gives the council the authority to do it or not do it. If the Legislature wants to mandate a study then you state the Council shall do it.

Discussion continued about the bill room, the process in the bill room, the printing of bills, the council study and the language in the bill, a prospective remodeling project, the process of the remodeling, the sound system in the House and the process of fixing it before next session, the phasing of the legislative computer system and its cost and what could be implemented during the interim.

**Senator Holmberg** closed the conference committee discussion indicated section 7 and 8 will be looked at next time. The House indicated they would bring other amendments.

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2001

Senate Appropriations Committee

☒ Conference Committee

Hearing Date April 19, 2005

Tape Number	Side A	Side B	Meter #
1		x	4850 - end
	a		0 - 875
Committee Clerk Signature <i>Janet P. [Signature]</i>			

Minutes:

**Senator Holmberg** called the conference committee hearing to order with roll call.

**Representative Monson** distributed amendments and explained the amendment indicating a member of the House has applied to law school and would like to take a leave of absence and get credit for the caucus and the amendment would address that need. The rules are that if she gets paid for serving out here she would not get credit for it through the internship program.

Normally interns get credit and a stipend.

**Senator Holmberg** questioned the need for the Legislative involvement.

Further discussion took place on leaves of absence, taking less pay then allotted for Legislative pay, the stipends from the law school, the internship program,

**John Walstad of Legislative Council** indicated this would make it clear and show that the Legislature has agreed to this. Because of national accrediting standards, interns cannot get credit for something they get paid for.

Page 2

Senate Appropriations Committee

Bill/Resolution Number 2001

Hearing Date April 19, 2005

Further discussion took place as to implications of placing this in the bill, the implications of candidates running and using no pay in a campaign, the sound mixers in the House chamber indicating there is an amendment being drafted and the legislative management committee flexibility of meetings.

**Senator Holmberg** indicated there is a management of the Legislature during the interim. He then adjourned the conference committee on SB 2001.

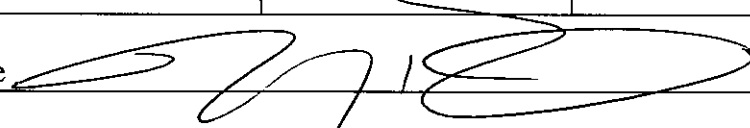
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. **SB 2001**

Senate Appropriations Committee

☒ Conference Committee

Hearing Date **04-21-05**

Tape Number	Side A	Side B	Meter #
3	x		0-1007
Committee Clerk Signature 			

Minutes: **Chairman Holmberg** opened the conference committee hearing.

**Roll was taken, all members were present.**

**Chairman Holmberg:** I don't have anything.

**Rep. Monson:** The House doesn't either.

**Chairman Holmberg:** We will get together later today.

**Rep. Carlson:** Is the .0300 version still on the table?

**Chairman Holmberg:** Yes.

**Chairman Holmberg:** Let's move onto the Legislative compensation memo.

**Rep. Carlson:** Are we going to kick this out today?

**Chairman Holmberg:** I don't know, lets go on to the memo.

**Rep. Monson:** I have an amendment, it incorporates everything we have agreed on.

**Chairman Holmberg:** Okay, let's work from the 0300 version.



**Rep. Monson:** The amendment number is .0222. We have agreed on sections 5,6. In section 7, that was supposed to be 200,000 now it is 300,000. Section 8, Director of OMB and the State Treasury, this is the authority to do the unexpended funds for the software package. Sections 9 and 10 are discussion points. I might point out that this new language says that says chairman of substantive standing committees divisions established by rule of the House or Senate. So if you have by rule subsections, this is both ways.

Rep. Monson went on to explain the amendment, stating that there is no pay shift in it so it isn't complete.

**Chairman Holmberg:** Okay, we will keep that in mind. I did do some other math and if you translated a 4 and 4. The monthly compensation would be \$356 and \$354, by the end of the next biennium. We have something to think about.

**Chairman Holmberg adjourned the meeting.**


2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2001

Senate Appropriations Committee

☒ Conference Committee

Hearing Date April 21, 2005

Tape Number	Side A	Side B	Meter #
4	a		3196 -5724
Committee Clerk Signature 			

Minutes:

**Senator Holmberg** opened the conference committee discussion on SB 2001 with roll call.

**Representative Monson** motioned that amendment .0223 receive a DO PASS, it was **seconded**. Discussion ensued indicating this is what was approved by the committee with the exception of section 9 and the other part of the remodeling amount.

**Senator Holmberg** discussed the compensation amounts indicating if the House would go along, the Senate would agree to remove Section 9 and further amend to add \$100. There was further discussion on the salary increase, committee chairmen compensation and conversations going on with the Senate about these changes.

**Representative Monson**, would we at least be able to get some intent that in legislative management we could address this issue of chairman compensation. The response after discussion was that there is no problem with that.

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Senate Appropriations Committee

Bill/Resolution Number 2001

Hearing Date April 21, 2005

**Senator Kringstad** moved that we further amend and the compensation be increased from \$250 to \$350 per month and that it be effective July 1, 2005 and section 9 be put into a study for Legislative Management. Senator Monson seconded. The motion failed.

**Senator Lindaas** indicated he would not support a pay raise.

**Representative Glassheim** questioned the difference in bottom line differences for pay raise.

The response was \$176,072 vs \$364,288.

**Senator Holmberg** closed the discussion.

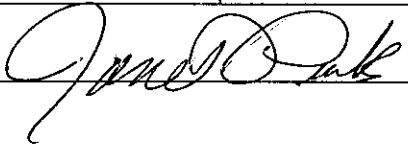
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2001

Senate Appropriations Committee

☒ Conference Committee

Hearing Date April 21, 2005

Tape Number	Side A	Side B	Meter #
5	a		0 - 1451
Committee Clerk Signature 			

Minutes:

**Senator Holmberg** opened the conference committee discussion on SB 2001 with roll call.

A handout was distributed by Legislative Council.

**Representative Glassheim** motioned do pass on \$5.00 a day for the committee chairs and increase the monthly allowance by \$50. **Representative Carlson** seconded. There was a brief discussion. **Representative Monson** indicated the one area of difference is Section 9. A roll call vote was taken resulting in 3 yes and 3 no. The motion failed.

**Senator Kringstad** motioned support of \$100 per month to start in the next biennium, remove section 9, and support of a study for increasing chairman heads and subcommittee heads and determine what will take place next session. **Representative Monson** seconded. Brief discussion took place. A roll call vote was taken resulting in 4 yes and 2 no. The motion carried.

**Representative Glassheim** presented an amendment to have legislative salaries be one half of the increase of the state employees so it would be automatic. Discussion took place as to

Page 2

Senate Appropriations Committee

Bill/Resolution Number 2001

Hearing Date April 21, 2005

how that would work in future years if there was a one or two percent increase. Senator Carlson seconded. A roll call vote was taken resulting in 3 yes and 3 no. The motion failed.

Representative Glassheim moved any legislative compensation increase not recommended by the legislative compensation commission would require a 2/3 vote in each house to pass.

Senator Kringstad seconded for the purpose of a vote. A roll call vote was taken resulting in 1 yes and 5 no. The motion failed.

Senator Holmberg closed the conference committee discussion.

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2001

That the House recede from its amendments as printed on pages 1182-1186 of the Senate Journal and pages 1349-1352 of the House Journal and that Engrossed Senate Bill No. 2001 be amended as follows:

Page 1, line 2, after the semicolon insert "to provide a contingent appropriation; to provide a statement of legislative intent; to amend and reenact sections 54-03-10 and 54-03-20 of the North Dakota Century Code, relating to compensation of appropriations committee division chairmen and compensation of members of the legislative assembly; to provide for applications and transfers; to provide for budget section approval; to provide an effective date; to provide for retroactive application;"

Page 2, line 5, replace "253,551" with "415,913"

Page 2, line 9, replace "456,700" with "619,062"

Page 2, line 12, replace "255,125" with "251,007"

Page 2, line 16, replace "47,034" with "42,916"

Page 2, line 17, replace "503,734" with "661,978"

Page 2, line 26, replace "5,736,429" with "5,898,791"

Page 2, line 30, replace "9,017,952" with "9,180,314"

Page 3, line 2, replace "5,171,154" with "5,167,036"

Page 3, line 5, replace "7,579,890" with "7,575,772"

Page 3, line 6, replace "16,597,842" with "16,756,086"

Page 3, after line 16, insert:

**"SECTION 5. LEGISLATIVE APPLICATIONS REPLACEMENT SYSTEM GOVERNANCE.** The legislative council shall develop, during the 2005-06 interim, a design, an analysis, and a plan for implementation of a replacement system for legislative applications. The legislative council staff and the information technology department staff shall develop a project plan and manage the project. The legislative council's interim information technology committee shall review the project plan and may request revisions to the plan before adopting the plan. The project plan must include the appointment of an executive steering committee for the project which must consist of two members from the legislative council staff, two members from the information technology department staff, two legislators, and others as appointed by the legislative council chairman. The project plan must be developed in a phased approach and must include a process for soliciting suggestions from members of the legislative assembly regarding system functions. After completion of a project phase, the information technology committee shall review and approve the deliverables from the completed phase before any consideration may be made for a subsequent phase. The

individual designated as the project manager shall provide reports regarding the project as required by chapters 54-35 and 54-59 and provide any additional information requested by the information technology committee.

**SECTION 6. REQUEST FOR PROPOSALS - LEGISLATIVE APPLICATION REPLACEMENT SYSTEM - BUDGET SECTION APPROVAL - CONTINGENT APPROPRIATION.** After completion of the design, analysis, and planning phase as provided for in section 5 of this Act, the legislative council shall develop a request for proposals to be distributed to potential providers to implement the system in a phased approach.

If the selected vendor's proposal to implement all phases is \$4,200,000 or less, the legislative council may proceed with the project, subject to the amount of funding available and budget section approval.

If the selected vendor's proposal exceeds \$4,200,000, the legislative council staff shall present to the budget section a recommendation regarding how to proceed with the project and may only proceed after receiving budget section approval.

There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$\_\_\_\_\_, or so much of the sum as may be necessary, to the legislative assembly for the purpose of implementing the legislative application replacement system, for the period beginning with the effective date of this Act and ending June 30, 2007, subject to the provisions of this section.

**SECTION 7. LEGISLATIVE INTENT - PRINTING OF BILLS AND RESOLUTIONS.** It is the intent of the fifty-ninth legislative assembly that to provide for the space needs of the legislative assembly and to better utilize space in the legislative wing of the state capitol, the legislative council arrange for the printing of bills and resolutions for the sixtieth legislative assembly as requested using computers and high-speed printers rather than printing multiple copies of all bills and having them available in the bill and journal room for the biennium beginning July 1, 2005, and ending June 30, 2007.

**SECTION 8. AMENDMENT.** Section 54-03-10 of the North Dakota Century Code is amended and reenacted as follows:

**54-03-10. Compensation of speaker, majority and minority leaders, assistant majority and minority leaders, committee or division chairmen, and employees.** The speaker of the house, the house majority leader, the senate majority leader, the house minority leader, and the senate minority leader shall each receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of ten dollars per day for each calendar day during any regular, special, or organizational session. Chairmen of the substantive standing committees, chairmen of substantive standing committee divisions established by rule of the house or senate, the house assistant majority leader, the senate assistant majority leader, the house assistant minority leader, and the senate assistant minority leader shall receive additional compensation of five dollars for each calendar day during any regular, special, or organizational session. The additional compensation provided by this section must be paid in the manner provided in section 54-03-20. The legislative assembly, by concurrent resolution, shall fix the compensation of the other officers and employees elected or appointed.

**SECTION 9. AMENDMENT.** Section 54-03-20 of the North Dakota Century Code is amended and reenacted as follows:

**54-03-20. Compensation and expense reimbursement of members of the legislative assembly.** Each member of the legislative assembly of the state of North Dakota is entitled to receive as compensation for services the sum of one hundred

~~twenty-five~~ thirty-five dollars for each calendar day during any organizational, special, or regular legislative session and for each day that member attends a meeting of a legislative committee between the organizational session and the regular session as authorized by legislative rule. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed a maximum of six hundred fifty dollars per calendar month for lodging in state, at the rates and in the manner provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session. Members of the legislative assembly who receive reimbursement for lodging are also entitled to reimbursement for travel for not to exceed one round trip taken during any calendar week, or portion of a week, the legislative assembly is in session, between their residences and the place of meeting of the legislative assembly, at the rate provided for state employees with the additional limitation that reimbursement for travel by common carrier may be only at the cost of coach fare and may not exceed one and one-half times the amount the member would be entitled to receive as mileage reimbursement for travel by motor vehicle. A member of the legislative assembly who does not receive reimbursement for lodging and whose place of residence in the legislative district that the member represents is not within the city of Bismarck is entitled to reimbursement at the rate provided for state employees for necessary travel for not to exceed one round trip taken per day between the residence and the place of meeting of the legislative assembly when it is in session and may receive reimbursement for lodging at the place of meeting of the legislative assembly as provided in section 44-08-04 for each calendar day for which round trip travel reimbursement is not claimed, provided that the total reimbursement may not exceed six hundred fifty dollars per month. The amount to which each legislator is entitled must be paid following the organizational session in December and following each month during a regular or special session.

If during a special session, the legislative assembly adjourns for more than three days, a member of the legislative assembly is entitled to receive compensation during those days only while in attendance at a standing committee if the legislator is a member of that committee, a majority or minority leader, or a legislator who is not on that committee but who has the approval of a majority or minority leader to attend. A day, or portion of a day, spent in traveling to or returning from an organizational, special, or regular session or a legislative committee meeting must be included as a calendar day during a legislative session or as a day of a legislative committee meeting for the purposes of this section.

In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of two hundred fifty dollars a month, which is payable every six months or monthly, at the member's option. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member. The majority and minority leaders of the house and senate and the chairman of the legislative council, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of two hundred fifty dollars per month during the biennium for their execution of public duties.

Attendance at any organizational, special, or regular session of the legislative assembly by any member is a conclusive presumption of entitlement as set out in this section and compensation and expense allowances must be excluded from gross income for income tax purposes to the extent permitted for federal income tax purposes under section 127 of the Economic Recovery Tax Act of 1981 [Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 162(i)].

**SECTION 10. APPLICATION AND TRANSFER AUTHORITY.** North Dakota Century Code sections 54-16-04 and 54-44.1-11 do not apply to chapter 1 of the 2003 Session Laws. Any unexpended funds from the appropriations in chapter 1 of the 2003 Session Laws are available to assist in the cost of the legislative applications



replacement project, including preplanning costs. The director of the office of management and budget and the state treasurer shall make transfers of funds between the line items and the agencies of the legislative branch within section 1 of that chapter as requested by the chairman of the legislative council or the chairman's designee.

**SECTION 11. EFFECTIVE DATE.** Section 9 of this Act becomes effective December 1, 2006.

**SECTION 12. RETROACTIVE APPLICATION.** Section 8 of this Act is retroactive in application to January 1, 2005."

Renumber accordingly

# STATEMENT OF PURPOSE OF AMENDMENT:

## Senate Bill No. 2001 - Summary of House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Legislative Assembly				
Total all funds	\$13,117,952	\$9,017,952	\$162,362	\$9,180,314
Less estimated income				
General fund	\$13,117,952	\$9,017,952	\$162,362	\$9,180,314
Legislative Council				
Total all funds	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772
Less estimated income				
General fund	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772
Bill Total				
Total all funds	\$20,716,548	\$16,597,842	\$158,244	\$16,756,086
Less estimated income				
General fund	\$20,716,548	\$16,597,842	\$158,244	\$16,756,086

## Senate Bill No. 2001 - Legislative Assembly - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$5,736,429	\$5,736,429	\$162,362	\$5,898,791
Operating expenses	2,997,773	2,997,773		2,997,773
Capital assets	6,000	106,000		106,000
National Conference of State Legislatures	177,750	177,750		177,750
Legislative applications replacement	4,200,000			
Total all funds	\$13,117,952	\$9,017,952	\$162,362	\$9,180,314
Less estimated income				
General fund	\$13,117,952	\$9,017,952	\$162,362	\$9,180,314
FTE	0.00	0.00	0.00	0.00

## Dept. 150 - Legislative Assembly - Detail of House Changes

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE	ADDS FUNDING FOR LEGISLATOR PAY INCREASE <sup>1</sup>	ADDS FUNDING FOR DIVISION CHAIRMEN PAY <sup>2</sup>	TOTAL HOUSE CHANGES
Salaries and wages	(\$16,100)	\$176,072	\$2,390	\$162,362
Operating expenses				
Capital assets				
National Conference of State Legislatures				
Legislative applications replacement				
Total all funds	(\$16,100)	\$176,072	\$2,390	\$162,362
Less estimated income				
General fund	(\$16,100)	\$176,072	\$2,390	\$162,362
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> A section is added increasing legislator pay during legislative sessions by \$10 per day, from \$125 to \$135 per day, effective December 1, 2006.

<sup>2</sup> A section is added providing that chairmen of standing committee divisions receive an additional \$5 per day during legislative sessions, the same as standing committee chairmen, which is retroactive to January 1, 2005.

A section is added providing for the development of a project plan for the legislative applications replacement system computer project.

A section is added allowing for continuation of any unspent 2003-05 biennium appropriation authority of the legislative branch for costs of the legislative applications replacement system computer project.

A section of legislative intent is added that the Legislative Council arrange for bills and resolutions of the 2007 legislative session to be printed on-demand using computers and high-speed printers rather than through printing contract to reduce costs and make available space now used for the bill and journal room for other legislative uses.

**Senate Bill No. 2001 - Legislative Council - House Action**

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$5,189,860	\$5,171,154	(\$4,118)	\$5,167,036
Operating expenses	2,367,736	2,367,736		2,367,736
Capital assets	<u>41,000</u>	<u>41,000</u>		<u>41,000</u>
Total all funds	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772
Less estimated income				
General fund	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772
FTE	33.00	33.00	0.00	33.00

**Dept. 160 - Legislative Council - Detail of House Changes**

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE	TOTAL HOUSE CHANGES
Salaries and wages	(\$4,118)	(\$4,118)
Operating expenses		
Capital assets		
Total all funds	(\$4,118)	(\$4,118)
Less estimated income		
General fund	(\$4,118)	(\$4,118)
FTE	0.00	0.00

**NOTE:** These proposed amendments contain a blank.

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2001

That the House recede from its amendments as printed on pages 1182-1186 of the Senate Journal and pages 1349-1352 of the House Journal and that Engrossed Senate Bill No. 2001 be amended as follows:

Page 1, line 2, after the semicolon insert "to provide for governance of a legislative applications replacement system project; to provide a statement of legislative intent; to provide for a legislative council study;"

Page 3, after line 16, insert:

**"SECTION 5. LEGISLATIVE APPLICATIONS REPLACEMENT SYSTEM GOVERNANCE.** The legislative council shall develop, during the 2005-06 interim, a design, an analysis, and a plan for implementation of a replacement system for legislative applications. The legislative council staff and the information technology department staff shall develop a project plan. The legislative council's interim legislative management committee shall review the project plan and may request revisions to the plan before adopting the plan. The legislative council chairman may appoint an executive steering group for the project which may consist of members from the legislative council staff, members from the information technology department staff, and legislators. The project plan must be developed in a phased approach and must include a process for soliciting suggestions from members of the legislative assembly regarding system functions. After completion of a project phase, the legislative management committee shall review and approve the deliverables from the completed phase before any consideration may be made for a subsequent phase. The individual designated as the project manager shall provide reports regarding the project as required by chapters 54-35 and 54-59.

**SECTION 6. LEGISLATIVE COUNCIL STUDY - PRINTING OF BILLS AND RESOLUTIONS.** The legislative council shall consider studying, during the 2005-06 interim, the feasibility and desirability of arranging for the printing of bills and resolutions for the sixtieth legislative assembly by using computers and high-speed printers rather than printing multiple copies of all bills and having copies available in the bill and journal room. The legislative council shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixtieth legislative assembly.

**SECTION 7. LEGISLATIVE COUNCIL STUDY - LEGISLATIVE MEETING ROOMS.** The legislative council shall consider studying, during the 2005-06 interim, the need for additional legislative committee meeting rooms. The legislative council may expend any funds available for the remodeling of legislative meeting rooms if the study concludes that additional meeting rooms are needed. The legislative council shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixtieth legislative assembly."

Renumber accordingly

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2001

That the House recede from its amendments as printed on pages 1182-1186 of the Senate Journal and pages 1349-1352 of the House Journal and that Engrossed Senate Bill No. 2001 be amended as follows:

Page 1, line 2, after the semicolon insert "to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to compensation of members of the legislative assembly;"

Page 3, after line 16, insert:

**"SECTION 5. AMENDMENT.** Section 54-03-20 of the North Dakota Century Code is amended and reenacted as follows:

**54-03-20. Compensation and expense reimbursement of members of the legislative assembly.**

1. Each member of the legislative assembly of the state of North Dakota is entitled to receive as compensation for services the sum of one hundred twenty-five dollars for each calendar day during any organizational, special, or regular legislative session and for each day that member attends a meeting of a legislative committee between the organizational session and the regular session as authorized by legislative rule.
2. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed a maximum of six hundred fifty dollars per calendar month for lodging in state, at the rates and in the manner provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session.
3. a. Members of the legislative assembly who receive reimbursement for lodging are also entitled to reimbursement for travel for not to exceed one round trip taken during any calendar week, or portion of a week, the legislative assembly is in session, between their residences and the place of meeting of the legislative assembly, at the rate provided for state employees with the additional limitation that reimbursement for travel by common carrier may be only at the cost of coach fare and may not exceed one and one-half times the amount the member would be entitled to receive as mileage reimbursement for travel by motor vehicle.

b. A member of the legislative assembly who does not receive reimbursement for lodging and whose place of residence in the legislative district that the member represents is not within the city of Bismarck is entitled to reimbursement at the rate provided for state employees for necessary travel for not to exceed one round trip taken per day between the residence and the place of meeting of the legislative assembly when it is in session and may receive reimbursement for lodging at the place of meeting of the legislative assembly as provided in section 44-08-04 for each calendar day for which round trip travel reimbursement is not claimed, provided that the

total reimbursement may not exceed six hundred fifty dollars per month.

4. A member of the legislative assembly may elect to be compensated or reimbursed for less than the amount of compensation or reimbursement to which the member is entitled under this section if the reduced amount is required by an institution of higher education as a condition for the member to receive academic credit for the member's legislative service.
5. The amount to which each legislator is entitled must be paid following the organizational session in December and following each month during a regular or special session.
6. If during a special session, the legislative assembly adjourns for more than three days, a member of the legislative assembly is entitled to receive compensation during those days only while in attendance at a standing committee if the legislator is a member of that committee, a majority or minority leader, or a legislator who is not on that committee but who has the approval of a majority or minority leader to attend.
7. A day, or portion of a day, spent in traveling to or returning from an organizational, special, or regular session or a legislative committee meeting must be included as a calendar day during a legislative session or as a day of a legislative committee meeting for the purposes of this section.
8.
  - a. In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of two hundred fifty dollars a month, which is payable every six months or monthly, at the member's option.
  - b. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member.
  - c. The majority and minority leaders of the house and senate and the chairman of the legislative council, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of two hundred fifty dollars per month during the biennium for their execution of public duties.
9. Attendance at any organizational, special, or regular session of the legislative assembly by any member is a conclusive presumption of entitlement as set out in this section and compensation and expense allowances must be excluded from gross income for income tax purposes to the extent permitted for federal income tax purposes under section 127 of the Economic Recovery Tax Act of 1981 [Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 162(i)]."

Renumber accordingly

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2001

That the House recede from its amendments as printed on pages 1182-1186 of the Senate Journal and pages 1349-1352 of the House Journal and that Engrossed Senate Bill No. 2001 be amended as follows:

Page 1, line 2, after the semicolon insert "to provide for governance of a legislative applications replacement system project; to provide for applications and transfers; to provide for a legislative council study;"

Page 2, line 5, replace "253,551" with "237,451"

Page 2, line 7, replace "100,000" with "226,085"

Page 2, line 9, replace "456,700" with "566,685"

Page 2, line 12, replace "255,125" with "251,007"

Page 2, line 16, replace "47,034" with "42,916"

Page 2, line 17, replace "503,734" with "609,601"

Page 2, line 26, replace "5,736,429" with "5,720,329"

Page 2, line 28, replace "106,000" with "232,085"

Page 2, line 30, replace "9,017,952" with "9,127,937"

Page 3, line 2, replace "5,171,154" with "5,167,036"

Page 3, line 5, replace "7,579,890" with "7,575,772"

Page 3, line 6, replace "16,597,842" with "16,703,709"

Page 3, after line 16, insert:

**"SECTION 5. LEGISLATIVE APPLICATIONS REPLACEMENT SYSTEM GOVERNANCE.** The legislative council shall develop, during the 2005-06 interim, a design, an analysis, and a plan for implementation of a replacement system for legislative applications. The legislative council staff and the information technology department staff shall develop a project plan. The legislative council's interim legislative management committee shall review the project plan and may request revisions to the plan before adopting the plan. The legislative council chairman may appoint an executive steering group for the project which may consist of members from the legislative council staff, members from the information technology department staff, and legislators. The project plan must be developed in a phased approach and must include a process for soliciting suggestions from members of the legislative assembly regarding system functions. After completion of a project phase, the legislative management committee shall review and approve the deliverables from the completed phase before any consideration may be made for a subsequent phase. The individual

designated as the project manager shall provide reports regarding the project as required by chapters 54-35 and 54-59.

**SECTION 6. LEGISLATIVE COUNCIL STUDY - PRINTING OF BILLS AND RESOLUTIONS.** The legislative council shall consider studying, during the 2005-06 interim, the feasibility and desirability of arranging for the printing of bills and resolutions for the sixtieth legislative assembly by using computers and high-speed printers rather than printing multiple copies of all bills and having copies available in the bill and journal room. The legislative council shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixtieth legislative assembly.

**SECTION 7. LEGISLATIVE COUNCIL STUDY - LEGISLATIVE MEETING ROOMS.** The legislative council shall consider studying, during the 2005-06 interim, the need for additional legislative committee meeting rooms. The legislative council may expend any funds available for the remodeling of legislative meeting rooms if the study concludes that additional meeting rooms are needed. The legislative council shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixtieth legislative assembly.

**SECTION 8. APPLICATION AND TRANSFER AUTHORITY.** North Dakota Century Code sections 54-16-04 and 54-44.1-11 do not apply to chapter 1 of the 2003 Session Laws. Any unexpended funds from the appropriations in chapter 1 of the 2003 Session Laws may be used to assist in the cost of the legislative applications replacement project, including preplanning costs. The director of the office of management and budget and the state treasurer shall make transfers of funds between the line items and the agencies of the legislative branch within section 1 of that chapter as requested by the chairman of the legislative council or the chairman's designee."

Renumber accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### Senate Bill No. 2001 - Summary of Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Legislative Assembly						
Total all funds	\$13,117,952	\$9,017,952	\$109,985	\$9,127,937	\$9,180,314	(\$52,377)
Less estimated income						
General fund	\$13,117,952	\$9,017,952	\$109,985	\$9,127,937	\$9,180,314	(\$52,377)
Legislative Council						
Total all funds	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772	\$7,575,722	\$0
Less estimated income						
General fund	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772	\$7,575,722	\$0
Bill Total						
Total all funds	\$20,716,548	\$16,597,842	\$105,867	\$16,703,709	\$16,756,086	(\$52,377)
Less estimated income						
General fund	\$20,716,548	\$16,597,842	\$105,867	\$16,703,709	\$16,756,086	(\$52,377)

##### Senate Bill No. 2001 - Legislative Assembly - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	\$5,736,429	\$5,736,429	(\$16,100)	\$5,720,329	\$5,898,791	(\$178,462)
Operating expenses	2,997,773	2,997,773		2,997,773	2,997,773	
Capital assets	6,000	106,000	126,085	232,085	106,000	126,085
National Conference of State Legislatures	177,750	177,750		177,750	177,750	
Legislative applications replacement	4,200,000					
Total all funds	\$13,117,952	\$9,017,952	\$109,985	\$9,127,937	\$9,180,314	(\$52,377)
Less estimated income						
General fund	\$13,117,952	\$9,017,952	\$109,985	\$9,127,937	\$9,180,314	(\$52,377)

**Dept. 150 - Legislative Assembly - Detail of Conference Committee Changes**

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE	ADDS FUNDING FOR COMMITTEE ROOMS <sup>1</sup>	ADDS FUNDING FOR SOUND SYSTEM <sup>2</sup>	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages	(\$16,100)			(\$16,100)
Operating expenses		\$100,000	\$26,085	126,085
Capital assets				
National Conference of State Legislatures				
Legislative applications replacement				
Total all funds	(\$16,100)	\$100,000	\$26,085	\$109,985
Less estimated income				
General fund	(\$16,100)	\$100,000	\$26,085	\$109,985
FTE	0.00	0.00	0.00	0.00

<sup>1</sup> The capital assets line item is increased by \$100,000 from the general fund to provide a total of \$200,000 for designing and remodeling space in the Capitol for an additional committee room and for refurbishing committee rooms.

<sup>2</sup> The capital assets line item is increased by \$26,085 from the general fund for replacing sound system mixers in the House chamber.

A section is added providing for the governance of the legislative applications replacement system computer project by the Legislative Council. The House had added a similar section relating to the development and oversight of the project.

A section is added providing for a Legislative Council study of the feasibility of printing bills and resolutions using high-speed printers for the 2007 legislative session. The House had added a section of legislative intent that the Legislative Council arrange this for the 2007 session.

A section is added providing for a Legislative Council study of the need for additional legislative committee meeting rooms.

A section is added allowing for continuation of any unspent 2003-05 biennium appropriation authority of the legislative branch for costs of the legislative applications replacement system computer project, the same as the House version.

Sections and funding added by the House increasing legislator pay by \$10 per day during the legislative sessions and allowing chairmen of standing committee divisions to receive an additional \$5 per day during legislative sessions are removed.

**Senate Bill No. 2001 - Legislative Council - Conference Committee Action**

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	\$5,189,860	\$5,171,154	(\$4,118)	\$5,167,036	\$5,167,036	
Operating expenses	2,367,736	2,367,736		2,367,736	2,367,736	
Capital assets	41,000	41,000		41,000	41,000	
Total all funds	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772	\$7,575,772	\$0
Less estimated income						
General fund	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772	\$7,575,772	\$0
FTE	33.00	33.00	0.00	33.00	33.00	0.00

**Dept. 160 - Legislative Council - Detail of Conference Committee Changes**

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages	(\$4,118)	(\$4,118)
Operating expenses		
Capital assets		
Total all funds	(\$4,118)	(\$4,118)
Less estimated income		



General fund

(\$4,118)

(\$4,118)

FTE

0.00

0.00

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2001

That the House recede from its amendments as printed on pages 1182-1186 of the Senate Journal and pages 1349-1352 of the House Journal and that Engrossed Senate Bill No. 2001 be amended as follows:

Page 1, line 2, after the semicolon insert "to provide for governance of a legislative applications replacement system project; to provide for applications and transfers; to provide for a legislative council study; to amend and reenact section 54-03-10 of the North Dakota Century Code, relating to compensation of appropriations committee division chairmen;"

Page 2, line 5, replace "253,551" with "239,841"

Page 2, line 7, replace "100,000" with "226,085"

Page 2, line 9, replace "456,700" with "569,075"

Page 2, line 12, replace "255,125" with "251,007"

Page 2, line 16, replace "47,034" with "42,916"

Page 2, line 17, replace "503,734" with "611,991"

Page 2, line 26, replace "5,736,429" with "5,722,719"

Page 2, line 28, replace "106,000" with "232,085"

Page 2, line 30, replace "9,017,952" with "9,130,327"

Page 3, line 2, replace "5,171,154" with "5,167,036"

Page 3, line 5, replace "7,579,890" with "7,575,772"

Page 3, line 6, replace "16,597,842" with "16,706,099"

Page 3, after line 16, insert:

**"SECTION 5. LEGISLATIVE APPLICATIONS REPLACEMENT SYSTEM GOVERNANCE.** The legislative council shall develop, during the 2005-06 interim, a design, an analysis, and a plan for implementation of a replacement system for legislative applications. The legislative council staff and the information technology department staff shall develop a project plan. The legislative council's interim legislative management committee shall review the project plan and may request revisions to the plan before adopting the plan. The legislative council chairman may appoint an executive steering group for the project which may consist of members from the legislative council staff, members from the information technology department staff, and legislators. The project plan must be developed in a phased approach and must include a process for soliciting suggestions from members of the legislative assembly regarding system functions. After completion of a project phase, the legislative management committee shall review and approve the deliverables from the completed

phase before any consideration may be made for a subsequent phase. The individual designated as the project manager shall provide reports regarding the project as required by chapters 54-35 and 54-59.

**SECTION 6. LEGISLATIVE COUNCIL STUDY - PRINTING OF BILLS AND RESOLUTIONS.** The legislative council, through its legislative management committee, shall study, during the 2005-06 interim, the feasibility and desirability of arranging for the printing of bills and resolutions for the sixtieth legislative assembly by using computers and high-speed printers rather than printing multiple copies of all bills and having copies available in the bill and journal room. The legislative council shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixtieth legislative assembly.

**SECTION 7. LEGISLATIVE COUNCIL STUDY - LEGISLATIVE MEETING ROOMS.** The legislative council, through its legislative management committee, shall study, during the 2005-06 interim, the need for additional legislative committee meeting rooms. The legislative council may expend any funds available for the remodeling of legislative meeting rooms if the study concludes that additional meeting rooms are needed. The legislative council shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixtieth legislative assembly.

**SECTION 8. APPLICATION AND TRANSFER AUTHORITY.** North Dakota Century Code sections 54-16-04 and 54-44.1-11 do not apply to chapter 1 of the 2003 Session Laws. Any unexpended funds from the appropriations in chapter 1 of the 2003 Session Laws may be used to assist in the cost of the legislative applications replacement project, including preplanning costs. The director of the office of management and budget and the state treasurer shall make transfers of funds between the line items and the agencies of the legislative branch within section 1 of that chapter as requested by the chairman of the legislative council or the chairman's designee.

**SECTION 9. AMENDMENT.** Section 54-03-10 of the North Dakota Century Code is amended and reenacted as follows:

**54-03-10. Compensation of speaker, majority and minority leaders, assistant majority and minority leaders, committee or division chairmen, and employees.** The speaker of the house, the house majority leader, the senate majority leader, the house minority leader, and the senate minority leader shall each receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of ten dollars per day for each calendar day during any regular, special, or organizational session. Chairmen of the substantive standing committees, chairmen of substantive standing committee divisions established by rule of the house or senate, the house assistant majority leader, the senate assistant majority leader, the house assistant minority leader, and the senate assistant minority leader shall receive additional compensation of five dollars for each calendar day during any regular, special, or organizational session. The additional compensation provided by this section must be paid in the manner provided in section 54-03-20. The legislative assembly, by concurrent resolution, shall fix the compensation of the other officers and employees elected or appointed."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2001 - Summary of Conference Committee Action**

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Legislative Assembly						
Total all funds	\$13,117,952	\$9,017,952	\$112,375	\$9,130,327	\$9,180,314	(\$49,987)
Less estimated income						
General fund	\$13,117,952	\$9,017,952	\$112,375	\$9,130,327	\$9,180,314	(\$49,987)
Legislative Council						
Total all funds	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772	\$7,575,722	\$0
Less estimated income						
General fund	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772	\$7,575,722	\$0
Bill Total						
Total all funds	\$20,716,548	\$16,597,842	\$108,257	\$16,706,099	\$16,756,086	(\$49,987)
Less estimated income						
General fund	\$20,716,548	\$16,597,842	\$108,257	\$16,706,099	\$16,756,086	(\$49,987)

#### Senate Bill No. 2001 - Legislative Assembly - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	\$5,736,429	\$5,736,429	(\$13,710)	\$5,722,719	\$5,898,791	(\$176,072)
Operating expenses	2,997,773	2,997,773		2,997,773	2,997,773	
Capital assets	6,000	106,000	126,085	232,085	106,000	126,085
National Conference of State Legislatures	177,750	177,750		177,750	177,750	
Legislative applications replacement	4,200,000					
Total all funds	\$13,117,952	\$9,017,952	\$112,375	\$9,130,327	\$9,180,314	(\$49,987)
Less estimated income						
General fund	\$13,117,952	\$9,017,952	\$112,375	\$9,130,327	\$9,180,314	(\$49,987)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

#### Dept. 150 - Legislative Assembly - Detail of Conference Committee Changes

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE	ADDS FUNDING FOR COMMITTEE ROOMS <sup>1</sup>	ADDS FUNDING FOR SOUND SYSTEM <sup>2</sup>	ADDS FUNDING FOR DIVISION CHAIRMAN PAY <sup>3</sup>	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages	(\$16,100)			\$2,390	(\$13,710)
Operating expenses					
Capital assets		\$100,000	\$26,085		126,085
National Conference of State Legislatures					
Legislative applications replacement					
Total all funds	(\$16,100)	\$100,000	\$26,085	\$2,390	\$112,375
Less estimated income					
General fund	(\$16,100)	\$100,000	\$26,085	\$2,390	\$112,375
FTE	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> The capital assets line item is increased by \$100,000 from the general fund to provide a total of \$200,000 for designing and remodeling space in the Capitol for an additional committee room and for refurbishing committee rooms.

<sup>2</sup> The capital assets line item is increased by \$26,085 from the general fund for replacing sound system mixers in the House chamber.

<sup>3</sup> A section is added providing that chairmen of standing committee divisions receive an additional \$5 per day beginning with the 2007 legislative session, the same as standing committee chairmen. The House also included this funding and these provisions.

A section is added providing for the governance of the legislative applications replacement system computer project by the Legislative Council. The House had added a similar section relating to the development and oversight of the project.

A section is added requiring a Legislative Council study of the feasibility of printing bills and resolutions using high-speed printers for the 2007 legislative session. The House had added a section of legislative intent that the Legislative Council arrange this for the 2007 session.

A section is added requiring a Legislative Council study of the need for additional legislative committee meeting rooms.

A section is added allowing for continuation of any unspent 2003-05 biennium appropriation authority of the legislative branch for costs of the legislative applications replacement system computer project, the same as the House version.

Sections and funding added by the House increasing legislator pay by \$10 per day during legislative sessions are removed.

**Senate Bill No. 2001 - Legislative Council - Conference Committee Action**

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	\$5,189,860	\$5,171,154	(\$4,118)	\$5,167,036	\$5,167,036	
Operating expenses	2,367,736	2,367,736		2,367,736	2,367,736	
Capital assets	<u>41,000</u>	<u>41,000</u>		<u>41,000</u>	<u>41,000</u>	
Total all funds	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772	\$7,575,772	\$0
Less estimated income						
General fund	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772	\$7,575,772	\$0
FTE	33.00	33.00	0.00	33.00	33.00	0.00

**Dept. 160 - Legislative Council - Detail of Conference Committee Changes**

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages	(\$4,118)	(\$4,118)
Operating expenses		
Capital assets		
Total all funds	(\$4,118)	(\$4,118)
Less estimated income		
General fund	(\$4,118)	(\$4,118)
FTE	0.00	0.00

REPORT OF CONFERENCE COMMITTEE  
(ACCEDE/RECEDE) - 420

07398

(Bill Number) 2001 (, as (re)engrossed):

Your Conference Committee

For the Senate:

Sen Holmberg 11  
Bringstad 11  
Lindaas 11

For the House:

Rep Monson 11  
Carlson 11  
Glassheim 11

☐ recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)  
the (Senate/House) amendments on (SJ/HJ) page(s) 465 - 727

☒ and place 7 on the Seventh order.

☐ , adopt (further) amendments as follows, and place  
on the Seventh order:

☐ having been unable to agree, recommends that the committee be discharged  
and a new committee be appointed.

((Re)Engrossed) \_\_\_\_\_ was placed on the Seventh order of business on the  
calendar.

DATE: 4-13-05

CARRIER: Holmberg

LC NO. 58001 . 0210 of amendment

LC NO. \_\_\_\_\_ of engrossment

Emergency clause added or deleted \_\_\_\_\_

Statement of purpose of amendment \_\_\_\_\_

*Senate  
Concurred w/  
House Amendments*

**REPORT OF CONFERENCE COMMITTEE**

**SB 2001, as engrossed:** Your conference committee (Sens. Holmberg, Kringstad, Lindaas and Reps. Monson, Carlson, Glassheim) recommends that the **SENATE ACCEDE** to the House amendments on SJ page 465 and place SB 2001 on the Seventh order.

Engrossed SB 2001 was placed on the Seventh order of business on the calendar.

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REPORT OF CONFERENCE COMMITTEE  
(ACCEDE/RECEDE) - 420

=====

07398

(Bill Number) 2001 (, as (re)engrossed):

Your Conference Committee

For the Senate:

4/21 ✓  
✓ ✓ ✓ Holmberg<sup>n</sup> ✓  
✓ ✓ ✓ Kringsstad<sup>n</sup> ✓  
✓ ✓ ✓ Lindaa<sup>n</sup> n ✓

For the House:

4/21 ✓  
✓ ✓ ✓ Monson<sup>n</sup> ✓  
✓ ✓ ✓ Carlson<sup>n</sup> ✓  
✓ ✓ ✓ Glassheim<sup>n</sup> ✓

☐ recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)  
723/724 725/726 S724/B726 S723/B725  
the (Senate/House) amendments on (SJ/HJ) page(s) \_\_\_\_\_ - \_\_\_\_\_

☐ and place \_\_\_\_\_ on the Seventh order.  
727

☐ , adopt (further) amendments as follows, and place  
\_\_\_\_\_ on the Seventh order:

☐ having been unable to agree, recommends that the committee be discharged  
and a new committee be appointed. 690/515

((Re)Engrossed) \_\_\_\_\_ was placed on the Seventh order of business on the  
calendar.

DATE: 4/18/05

CARRIER: \_\_\_\_\_

LC NO. \_\_\_\_\_ of amendment

LC NO. \_\_\_\_\_ of engrossment

Emergency clause added or deleted \_\_\_\_\_

Statement of purpose of amendment \_\_\_\_\_

=====

(1) LC (2) LC (3) DESK (4) COMM.



**REPORT OF CONFERENCE COMMITTEE**

**SB 2001, as engrossed:** Your conference committee (Sens. Holmberg, Kringstad, Lindaas and Reps. Monson, Carlson, Glassheim) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 1182-1186, adopt amendments as follows, and place SB 2001 on the Seventh order:

That the House recede from its amendments as printed on pages 1182-1186 of the Senate Journal and pages 1349-1352 of the House Journal and that Engrossed Senate Bill No. 2001 be amended as follows:

Page 1, line 2, after the semicolon insert "to provide for governance of a legislative applications replacement system project; to provide for applications and transfers; to provide for a legislative council study; to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to compensation of members of the legislative assembly; to provide an effective date;"

Page 2, line 5, replace "253,551" with "601,739"

Page 2, line 7, replace "100,000" with "226,085"

Page 2, line 9, replace "456,700" with "930,973"

Page 2, line 12, replace "255,125" with "251,007"

Page 2, line 16, replace "47,034" with "42,916"

Page 2, line 17, replace "503,734" with "973,889"

Page 2, line 26, replace "5,736,429" with "6,084,617"

Page 2, line 28, replace "106,000" with "232,085"

Page 2, line 30, replace "9,017,952" with "9,492,225"

Page 3, line 2, replace "5,171,154" with "5,167,036"

Page 3, line 5, replace "7,579,890" with "7,575,772"

Page 3, line 6, replace "16,597,842" with "17,067,997"

Page 3, after line 16, insert:

**"SECTION 5. LEGISLATIVE APPLICATIONS REPLACEMENT SYSTEM GOVERNANCE.** The legislative council shall develop, during the 2005-06 interim, a design, an analysis, and a plan for implementation of a replacement system for legislative applications. The legislative council staff and the information technology department staff shall develop a project plan. The legislative council's interim legislative management committee shall review the project plan and may request revisions to the plan before adopting the plan. The legislative council chairman may appoint an executive steering group for the project which may consist of members from the legislative council staff, members from the information technology department staff, and legislators. The project plan must be developed in a phased approach and must include a process for soliciting suggestions from members of the legislative assembly regarding system functions. After completion of a project phase, the legislative management committee shall review and approve the deliverables from the completed phase before any consideration may be made for a subsequent phase. The individual

designated as the project manager shall provide reports regarding the project as required by chapters 54-35 and 54-59.

**SECTION 6. LEGISLATIVE COUNCIL STUDY - PRINTING OF BILLS AND RESOLUTIONS.** The legislative council, through its legislative management committee, shall study, during the 2005-06 interim, the feasibility and desirability of arranging for the printing of bills and resolutions for the sixtieth legislative assembly by using computers and high-speed printers rather than printing multiple copies of all bills and having copies available in the bill and journal room. The legislative council shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixtieth legislative assembly.

**SECTION 7. LEGISLATIVE COUNCIL STUDY - LEGISLATIVE MEETING ROOMS.** The legislative council, through its legislative management committee, shall study, during the 2005-06 interim, the need for additional legislative committee meeting rooms. The legislative council may expend any funds available for the remodeling of legislative meeting rooms if the study concludes that additional meeting rooms are needed. The legislative council shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixtieth legislative assembly.

**SECTION 8. LEGISLATIVE COUNCIL STUDY - DIVISION CHAIRMEN PAY.** The legislative council, through its legislative management committee, shall study, during the 2005-06 interim, the appropriateness of increasing the daily compensation for chairmen of substantive standing committee divisions established by rule of the house or senate. The legislative council shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixtieth legislative assembly.

**SECTION 9. APPLICATION AND TRANSFER AUTHORITY.** North Dakota Century Code sections 54-16-04 and 54-44.1-11 do not apply to chapter 1 of the 2003 Session Laws. Any unexpended funds from the appropriations in chapter 1 of the 2003 Session Laws may be used to assist in the cost of the legislative applications replacement project, including preplanning costs. The director of the office of management and budget and the state treasurer shall make transfers of funds between the line items and the agencies of the legislative branch within section 1 of that chapter as requested by the chairman of the legislative council or the chairman's designee.

**SECTION 10. AMENDMENT.** Section 54-03-20 of the North Dakota Century Code is amended and reenacted as follows:

**54-03-20. Compensation and expense reimbursement of members of the legislative assembly.**

1. Each member of the legislative assembly of the state of North Dakota is entitled to receive as compensation for services the sum of one hundred twenty-five dollars for each calendar day during any organizational, special, or regular legislative session and for each day that member attends a meeting of a legislative committee between the organizational session and the regular session as authorized by legislative rule.
2. Each member of the legislative assembly is entitled to receive reimbursement for lodging, which may not exceed a maximum of six hundred fifty dollars per calendar month for lodging in state, at the rates and in the manner provided in section 44-08-04 for each calendar day during the period of any organizational, special, or regular session.

3. a. Members of the legislative assembly who receive reimbursement for lodging are also entitled to reimbursement for travel for not to exceed one round trip taken during any calendar week, or portion of a week, the legislative assembly is in session, between their residences and the place of meeting of the legislative assembly, at the rate provided for state employees with the additional limitation that reimbursement for travel by common carrier may be only at the cost of coach fare and may not exceed one and one-half times the amount the member would be entitled to receive as mileage reimbursement for travel by motor vehicle.
  - b. A member of the legislative assembly who does not receive reimbursement for lodging and whose place of residence in the legislative district that the member represents is not within the city of Bismarck is entitled to reimbursement at the rate provided for state employees for necessary travel for not to exceed one round trip taken per day between the residence and the place of meeting of the legislative assembly when it is in session and may receive reimbursement for lodging at the place of meeting of the legislative assembly as provided in section 44-08-04 for each calendar day for which round trip travel reimbursement is not claimed, provided that the total reimbursement may not exceed six hundred fifty dollars per month.
4. The amount to which each legislator is entitled must be paid following the organizational session in December and following each month during a regular or special session.
5. If during a special session, the legislative assembly adjourns for more than three days, a member of the legislative assembly is entitled to receive compensation during those days only while in attendance at a standing committee if the legislator is a member of that committee, a majority or minority leader, or a legislator who is not on that committee but who has the approval of a majority or minority leader to attend.
6. A day, or portion of a day, spent in traveling to or returning from an organizational, special, or regular session or a legislative committee meeting must be included as a calendar day during a legislative session or as a day of a legislative committee meeting for the purposes of this section.
7. a. In addition, each member is entitled to receive during the term for which the member was elected, as compensation for the execution of public duties during the biennium, the sum of ~~two~~ three hundred fifty dollars a month, which is payable every six months or monthly, at the member's option.
  - b. If a member dies or resigns from office during the member's term, the member may be paid only the allowances provided for in this section for the period for which the member was actually a member.
  - c. The majority and minority leaders of the house and senate and the chairman of the legislative council, if the chairman is not a majority or minority leader, are each entitled to receive as compensation, in addition to any other compensation or expense reimbursement provided by law, the sum of two hundred fifty dollars per month during the biennium for their execution of public duties.

8. Attendance at any organizational, special, or regular session of the legislative assembly by any member is a conclusive presumption of entitlement as set out in this section and compensation and expense allowances must be excluded from gross income for income tax purposes to the extent permitted for federal income tax purposes under section 127 of the Economic Recovery Tax Act of 1981 [Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 162(i)].

**SECTION 11. EFFECTIVE DATE.** Section 10 of this Act becomes effective on July 1, 2005."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2001 - Summary of Conference Committee Action**

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Legislative Assembly						
Total all funds	\$13,117,952	\$9,017,952	\$474,273	\$9,492,225	\$9,180,314	\$311,911
Less estimated income						
General fund	\$13,117,952	\$9,017,952	\$474,273	\$9,492,225	\$9,180,314	\$311,911
Legislative Council						
Total all funds	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772	\$7,575,772	\$0
Less estimated income						
General fund	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772	\$7,575,772	\$0
Bill Total						
Total all funds	\$20,716,548	\$16,597,842	\$470,155	\$17,067,997	\$16,756,086	\$311,911
Less estimated income						
General fund	\$20,716,548	\$16,597,842	\$470,155	\$17,067,997	\$16,756,086	\$311,911

**Senate Bill No. 2001 - Legislative Assembly - Conference Committee Action**

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	\$5,736,429	\$5,736,429	\$348,188	\$6,084,617	\$5,898,791	\$185,826
Operating expenses	2,997,773	2,997,773		2,997,773	2,997,773	
Capital assets	6,000	106,000	126,085	232,085	106,000	126,085
National Conference of State Legislatures	177,750	177,750		177,750	177,750	
Legislative applications replacement	4,200,000					
Total all funds	\$13,117,952	\$9,017,952	\$474,273	\$9,492,225	\$9,180,314	\$311,911
Less estimated income						
General fund	\$13,117,952	\$9,017,952	\$474,273	\$9,492,225	\$9,180,314	\$311,911
FTE	0.00	0.00	0.00	0.00	0.00	0.00

**Dept. 150 - Legislative Assembly - Detail of Conference Committee Changes**

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE	ADDS FUNDING FOR COMMITTEE ROOMS <sup>1</sup>	ADDS FUNDING FOR SOUND SYSTEM <sup>2</sup>	ADDS FUNDING FOR LEGISLATOR MONTHLY COMPENSATION <sup>3</sup>	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages	(\$16,100)			\$364,288	\$348,188
Operating expenses					

**REPORT OF CONFERENCE COMMITTEE (420)**  
**April 22, 2005 8:24 a.m.**

**Module No: SR-75-8508**

**Insert LC: 58001.0230**

Capital assets		\$100,000	\$26,085		126,085
National Conference of State Legislatures					
Legislative applications replacement					
Total all funds	(\$16,100)	\$100,000	\$26,085	\$364,288	\$474,273
Less estimated income					
General fund	(\$16,100)	\$100,000	\$26,085	\$364,288	\$474,273
FTE	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> The capital assets line item is increased by \$100,000 from the general fund to provide a total of \$200,000 for designing and remodeling space in the Capitol for an additional committee room or for refurbishing committee rooms.

<sup>2</sup> The capital assets line item is increased by \$26,085 from the general fund for replacing sound system mixers in the House chamber.

<sup>3</sup> A section is added increasing, effective July 1, 2005, legislators' monthly compensation by \$100 per month, from \$250 to \$350 per month.

A section is added providing for the governance of the legislative applications replacement system computer project by the Legislative Council. The House had added a similar section relating to the development and oversight of the project.

A section is added requiring a Legislative Council study of the feasibility of printing bills and resolutions using high-speed printers for the 2007 legislative session. The House had added a section of legislative intent that the Legislative Council arrange for this for the 2007 session.

A section is added requiring a Legislative Council study of the need for additional legislative committee meeting rooms.

A section is added allowing for continuation of any unspent 2003-05 biennium appropriation authority of the legislative branch for costs of the legislative applications replacement system computer project, the same as the House version.

Sections and funding added by the House increasing legislator pay by \$10 per day during legislative sessions are removed.

Sections and funding added by the House are removed which provided that chairmen of standing committee divisions receive an additional \$5 per day during legislative sessions, the same as standing committee chairmen, which was to be retroactive to January 1, 2005. A section is added providing that the Legislative Management Committee study, during the interim, the appropriateness of increasing the daily compensation for these division chairmen.

**Senate Bill No. 2001 - Legislative Council - Conference Committee Action**

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	\$5,189,860	\$5,171,154	(\$4,118)	\$5,167,036	\$5,167,036	
Operating expenses	2,367,736	2,367,736		2,367,736	2,367,736	
Capital assets	<u>41,000</u>	<u>41,000</u>		<u>41,000</u>	<u>41,000</u>	
Total all funds	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772	\$7,575,772	\$0
Less estimated income						
General fund	\$7,598,596	\$7,579,890	(\$4,118)	\$7,575,772	\$7,575,772	\$0

FTE	33.00	33.00	0.00	33.00	33.00	0.00
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**Dept. 160 - Legislative Council - Detail of Conference Committee Changes**

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages	(\$4,118)	(\$4,118)
Operating expenses		
Capital assets		
Total all funds	(\$4,118)	(\$4,118)
Less estimated income		
General fund	(\$4,118)	(\$4,118)
FTE	0.00	0.00

Engrossed SB 2001 was placed on the Seventh order of business on the calendar.

2005 TESTIMONY

SB 2001

May 2004

## LEGISLATIVE COMPENSATION INCREASES COMPARED TO INFLATION AND STATE EMPLOYEE SALARY INCREASES - 1981 THROUGH 2002

This memorandum compares actual legislative compensation rates and legislative compensation rates adjusted for inflation and state employee salary increases for the period 1981 through 2004.

### LEGISLATIVE COMPENSATION RATES

North Dakota Century Code (NDCC) Section 54-03-20 provides that each member of the Legislative Assembly is entitled to receive compensation of \$125 per calendar day during each regular, special, or organizational session. In addition, each legislator is entitled to receive monthly compensation of \$250 during each legislator's term of office. Section 54-35-10 provides that legislators are also entitled to receive compensation of \$100 per day for attending interim meetings of the Legislative Council and its committees.

### CHANGES IN LEGISLATIVE COMPENSATION SINCE 1981

In 1981 the amount legislators were paid as monthly compensation was increased from \$150 to \$180. Also in 1981 the amount legislators were paid for attending meetings of the Legislative Council and its committees was increased from \$52 per day to \$62.50 per day. Legislative session compensation was constitutionally limited to \$5 per calendar day, and the level of expense reimbursement during legislative sessions was set by statute at \$85 per calendar day for a total of \$90 per day.

The constitutional provision limiting legislative compensation was repealed on June 8, 1982, by voter approval of measure No. 4, which created Section 26 of Article XI of the Constitution of North Dakota, and provides that:

The legislative, executive, and judicial branches are coequal branches of government. Elected members and officials of each branch shall receive as compensation for their services only such amounts as may be specifically set by law. Payment for necessary expenses shall not exceed those allowed for other state employees.

After the adoption of the 1982 constitutional amendment, the subsequent Legislative Assembly (1983) amended NDCC Section 54-03-20 to set the levels of legislative session compensation and expense reimbursement at \$40 per day and \$50 per day, respectively. As an exception to the compensation and expense reimbursement rates provided to other legislators, legislators from Bismarck received \$90 per day as compensation and no expense

reimbursement. Consequently, the total of legislative session expense reimbursement and compensation for all legislators remained unchanged at \$90 per day.

The 1985 Legislative Assembly amended NDCC Section 54-03-20 to provide that legislators receive compensation of \$90 per calendar day during the legislative session plus reimbursement for lodging up to \$600 per month. Section 54-03-20 was also amended to provide that the \$180 per month payment to legislators during their terms of office was compensation rather than reimbursement for expenses.

North Dakota Century Code Section 54-03-20 was not substantively changed again until 1997. The changes made by the 1997 Legislative Assembly include:

- Increased daily compensation during legislative sessions from \$90 to \$111.
- Increased monthly compensation during each legislator's term of office from \$180 to \$250.
- Provided that compensation may be paid monthly, rather than every six months, at the option of each legislator.
- Increased the maximum reimbursement for lodging during legislative sessions from \$600 to \$650 per month.

The 1999 Legislative Assembly increased the level of compensation for attending interim Legislative Council committee meetings from \$62.50 to \$75 per day.

The 2001 Legislative Assembly increased session compensation from \$111 to \$125 per day and increased compensation for attending interim committee meetings from \$75 to \$100 per day.

The 2003 Legislative Assembly did not make any legislative compensation and expense reimbursement changes; however, the Legislative Assembly considered increasing the maximum lodging expense reimbursement allowed during legislative sessions from \$650 per month to 50 percent of the daily federal per diem lodging rate for the City of Bismarck for 30 days. The increased reimbursement for lodging during any month of a regular session was not to exceed \$100 over the maximum allowed for lodging per month during the last regular session. During the 2003 legislative session, 50 percent of the daily federal per diem lodging rate for North Dakota of \$55 for 30 days would have totaled \$825. Due to the provision that the increased reimbursement for lodging was not to exceed \$100 over the maximum allowed during the last regular session, the maximum lodging reimbursement allowed would have been \$750 per month.



The schedule attached as an appendix provides a comparison of actual legislative compensation rates and legislative compensation rates adjusted for

inflation and state employee salary increases for the period 1981 through 2004.

ATTACH:1

# ACTUAL LEGISLATIVE COMPENSATION RATES AND LEGISLATIVE COMPENSATION RATES ADJUSTED FOR INFLATION AND STATE EMPLOYEE SALARY INCREASES - 1981 THROUGH 2004

	ACTUAL COMPENSATION RATES				COMPENSATION RATES ADJUSTED FOR INFLATION				Salary Increases Provided to State Employees	COMPENSATION RATES ADJUSTED FOR SALARY INCREASES PROVIDED TO STATE EMPLOYEES			
	Interim Daily Compensation	Session Daily Compensation and Expense Reimbursement <sup>1</sup>	Monthly Compensation During Term of Office	Inflation <sup>2</sup>	Interim Daily Compensation	Session Daily Compensation	Monthly Compensation During Term of Office	Interim Daily Compensation		Session Daily Compensation	Monthly Compensation During Term of Office		
1981	\$62.50	\$90.00	\$180.00		\$62.50	\$90.00	\$180.00			\$62.50	\$90.00	\$180.00	
1982	\$62.50	\$90.00	\$180.00	6.2%	\$66.38	\$95.58	\$191.16		8.0% <sup>3</sup>	\$67.50	\$97.20	\$194.40	
1983	\$62.50	\$90.00	\$180.00	3.2%	\$68.50	\$98.64	\$197.28		2.0% <sup>4</sup>	\$68.85	\$99.14	\$198.29	
1984	\$62.50	\$90.00	\$180.00	4.3%	\$71.45	\$102.88	\$205.76		2.0% <sup>4</sup>	\$70.23	\$101.12	\$202.26	
1985	\$62.50	\$90.00	\$180.00	3.5%	\$73.95	\$106.48	\$212.96		5.5% <sup>5</sup>	\$74.09	\$106.68	\$213.38	
1986	\$62.50	\$90.00	\$180.00	1.9%	\$75.36	\$108.50	\$217.01		4.0% <sup>6</sup>	\$77.05	\$110.95	\$221.92	
1987	\$62.50	\$90.00	\$180.00	3.7%	\$78.15	\$112.51	\$225.04		0.0%	\$77.05	\$110.95	\$221.92	
1988	\$62.50	\$90.00	\$180.00	4.1%	\$81.35	\$117.12	\$234.27		0.0%	\$77.05	\$110.95	\$221.92	
1989	\$62.50	\$90.00	\$180.00	4.8%	\$85.25	\$122.74	\$245.51		7.1% <sup>7</sup>	\$82.52	\$118.83	\$237.68	
1990	\$62.50	\$90.00	\$180.00	5.4%	\$89.85	\$129.37	\$258.77		0.0% <sup>8</sup>	\$82.52	\$118.83	\$237.68	
1991	\$62.50	\$90.00	\$180.00	4.2%	\$93.62	\$134.80	\$269.64		4.0% <sup>9</sup>	\$85.82	\$123.58	\$247.19	
1992	\$62.50	\$90.00	\$180.00	3.0%	\$96.43	\$138.84	\$277.73		\$40 per month <sup>10</sup>	\$87.54	\$126.05	\$252.13	
1993	\$62.50	\$90.00	\$180.00	3.0%	\$99.32	\$143.01	\$286.06		\$60 per month <sup>11</sup>	\$90.17	\$129.83	\$259.69	
1994	\$62.50	\$90.00	\$180.00	2.6%	\$101.90	\$146.73	\$293.50		3.0% <sup>12</sup>	\$92.88	\$133.72	\$267.48	
1995	\$62.50	\$90.00	\$180.00	2.8%	\$104.75	\$150.84	\$301.72		2.0%	\$94.74	\$136.39	\$272.83	
1996	\$62.50	\$90.00	\$180.00	2.9%	\$107.79	\$155.21	\$310.47		3.0% <sup>13</sup>	\$97.58	\$140.48	\$281.01	
1997	\$62.50	\$111.00	\$250.00	2.3%	\$110.27	\$158.78	\$317.61		3.0% <sup>15</sup>	\$100.51	\$144.69	\$289.44	
1998	\$62.50	\$111.00	\$250.00	1.5%	\$111.92	\$161.16	\$322.37		3.0% <sup>15</sup>	\$103.53	\$149.03	\$298.12	
1999	\$75.00	\$111.00	\$250.00	2.2%	\$114.38	\$164.71	\$329.46		2.0% <sup>16</sup>	\$105.60	\$152.01	\$304.08	
2000	\$75.00	\$111.00	\$250.00	3.4%	\$118.27	\$170.31	\$340.66		3.0% <sup>16</sup>	\$108.77	\$156.57	\$313.20	
2001	\$100.00	\$125.00	\$250.00	2.8%	\$121.58	\$175.08	\$350.20		3.0% <sup>17</sup>	\$112.03	\$161.27	\$322.60	
2002	\$100.00	\$125.00	\$250.00	1.6%	\$123.53	\$177.88	\$355.80		2.0% <sup>17</sup>	\$114.27	\$164.50	\$329.05	
2003	\$100.00	\$125.00	\$250.00	2.3%	\$126.37	\$181.97	\$363.98		0.0% <sup>18</sup>	\$114.27	\$164.50	\$329.05	
2004	\$100.00	\$125.00	\$250.00	1.4% <sup>14</sup>	\$128.14	\$184.52	\$369.08		0.0% <sup>18</sup>	\$114.27	\$164.50	\$329.05	

<sup>1</sup> Until 1985 the \$90 per calendar day amount included compensation and expense reimbursement. Beginning in 1985 the \$90 per day amount includes only compensation.

<sup>2</sup> The inflation rate is the annual percentage change in the consumer price index.

<sup>3</sup> The actual salary increase was reduced by a budget allotment directed by the Governor.

<sup>4</sup> The percentage shown is a 2 percent additional state-paid contribution to retirement in lieu of a salary increase.

<sup>5</sup> Salary increases of 9.5 percent were provided to higher education faculty and senior administrative staff, 5.5 percent for all other state employees.

<sup>6</sup> The Governor deferred this salary increase for executive branch agencies until January 1, 1987, with a minimum of \$50 per month. For the purposes of this analysis, a 4 percent increase was applied to legislative compensation.

<sup>7</sup> Salary increases of 11.4 percent were provided for higher education faculty at the University of North Dakota and North Dakota State University; 9.5 percent for higher education faculty at other four-year universities; 7.3 percent for higher education faculty at two-year colleges; 9.1 percent for faculty at the UND Medical School; 8.7 to 9.7 percent for administrative, professional, and classified employees at the institutions of higher education; and 7.1 percent for all other state employees.

<sup>8</sup> Salary increases of 7 percent were provided for higher education faculty at four-year universities, 5 percent for higher education faculty at two-year colleges, and 0 percent for all other state employees.

<sup>9</sup> A salary increase of 4 percent, with a minimum of \$50 per month, was provided for state employees. For the purposes of this analysis, only the 4 percent increase was applied to legislative compensation.

- <sup>10</sup> The \$40 per month increase averaged approximately 2 percent for classified state employees. For the purposes of this analysis, a 2 percent increase was applied to legislative compensation.
- <sup>11</sup> The \$60 per month increase averaged approximately 3 percent for classified state employees. For the purposes of this analysis, a 3 percent increase was applied to legislative compensation.
- <sup>12</sup> A salary increase of up to 3 percent was provided to the extent available from agency savings.
- <sup>13</sup> The salary increase of 3 percent includes 1 percent provided for salary equity adjustments and merit increases.
- <sup>14</sup> Projected annual percentage increase in the consumer price index, as projected by Economy.com.
- <sup>15</sup> Salary increases were a minimum of \$30 per month, with any additional increases, up to an average of 3 percent, distributed on the basis of merit and equity. For the purposes of this analysis, only the 3 percent increase was applied to legislative compensation.
- <sup>16</sup> Salary increases were a minimum of \$35 per month, with any additional increases up to 2 percent the first year and 3 percent the second year distributed on the basis of merit and equity. For the purposes of this analysis, the percentage increases were applied to legislative compensation.
- <sup>17</sup> Salary increases were a minimum of \$35 per month, with any additional increases distributed on the basis of merit and equity. For the purposes of this analysis, the percentage increases were applied to legislative compensation.
- <sup>18</sup> Salary increases up to 1 percent effective on January 1, 2004, and 2 percent effective on January 1, 2005, for the executive and judicial branches to the extent the increases could be provided from pooled savings realized from eliminated full-time equivalent (FTE) positions and from accumulated savings from other vacant FTE positions. At least 70 percent of the funding for the increases provided must be from pooled savings of the eliminated FTE positions. No specific funding was provided to higher education institutions for salary increases, with the intent that any salary increases provided be from existing appropriation authority. The Office of Management and Budget has reported that the pooled savings for the executive branch do not include sufficient savings from eliminated or vacant positions for state employee salary increases; therefore, for the purposes of this analysis, no increase was applied to legislative compensation.

January 21, 2005

## STATEMENT OF JOHN D. OLSRUD, DIRECTOR, NORTH DAKOTA LEGISLATIVE COUNCIL, REGARDING SENATE BILL NO. 2001, JANUARY 24, 2005

Mr. Chairman and members of the Senate Appropriations Committee.

I am here this morning appearing on Senate Bill No. 2001 on behalf of the members of the Legislative Assembly and the members of the Legislative Council to explain the budget requests for the Legislative Assembly and the Legislative Council for the 2005-07 biennium.

### LEGISLATIVE ASSEMBLY

Subdivision 1 of Section 3 of the bill contains the 2005-07 biennium appropriation for the Legislative Assembly of \$13,117,952 from the general fund. Excluding the \$4.2 million requested for the legislative applications replacement system computer project, the Legislative Assembly request is \$8,917,952. This amount is \$356,700 or 4.2 percent more than the 2003-05 appropriation of \$8,561,252. The amount requested is considered necessary for the organizational session and a 77-legislative-day (111-calendar-day) regular 2007 legislative session. The following schedule presents the number of legislative days for previous sessions:

Legislative Session	Legislative Days
2003	76*
2001	77
1999	71
1997	66
1995	67
1993	77

\*Excludes the three legislative days relating to the May 2003 special session.

The 2003 Legislative Assembly provided funding for an estimated 77-legislative-day 2005 legislative session.

### Salaries and Wages

The salaries and wages line item of approximately \$5.7 million includes funding for:

- Legislative employees' pay for the 2007 legislative session based on the same number of employees employed for the 2003 legislative session of 74.
- Legislators' salary policy of \$125 per day for a 77-legislative-day regular session (111 calendar days).
- Additional compensation of \$10 per calendar day is provided for the legislative leaders and \$5 per calendar day for chairmen of the standing committees and assistant legislative leaders.

- Legislators' monthly compensation of \$250 per month and the additional \$250 per month provided to the House and Senate majority and minority leaders.
- Health insurance coverage for 129 legislators, the same number of legislators that received health insurance coverage during the 2003-04 interim. Current information indicates that 128 legislators have requested health insurance; however, additional legislators may join the plan during the open enrollment period.

### Operating Expenses

The operating expenses line item of approximately \$3 million includes funding for:

- Legislators' travel costs for 17 trips at 37.5 cents per mile during the regular session and one trip for the organizational session. Based on the Legislative Compensation Commission recommendation as contained in Senate Bill No. 2058, the budget has been increased by \$50,637 to provide for a mileage reimbursement rate of 37.5 cents per mile rather than the current rate of 31 cents per mile.
- Lodging costs for 125 legislators for four months during the legislative session. The Legislative Compensation Commission recommended increasing the maximum lodging reimbursement for legislators during the legislative session from the current rate of \$650 per month to \$900 per month for legislators staying in motels and to \$750 per month for legislators staying in private residences. The additional cost relating to this change, estimated at \$98,000 is included in the budget request.
- Data processing costs of approximately \$871,000 for operating expenses and maintaining current legislative computer systems. A \$9,000 reduction compared to 2003-05 biennium funding levels.
- Information technology consulting services of \$196,000.
- Telephone, telecommunications, and networking charges of \$445,451, an increase of \$63,656 compared to the 2003-05 biennium.
- Professional services of \$106,750, which includes \$90,000 for the privatization of legislative secretarial services, bill and journal room operations, and telephone room operations.

### Capital Assets

The capital assets line item of \$6,000 is for miscellaneous equipment replacement needs.

### National Conference of State Legislatures

The National Conference of State Legislatures (NCSL) line item of \$177,750 is an increase of \$10,226 from the 2003-05 budget of \$167,524. This represents North Dakota's contribution to NCSL and the amount is based on NCSL's estimate of North Dakota's share of the NCSL budget for fiscal years 2006 and 2007.

### Legislative Applications Replacement System

The 2003 Legislative Assembly appropriated \$200,000 to the Legislative Assembly to conduct an infrastructure analysis of legislative computer applications. Based on the consultant's recommendations, the budget request includes a \$4.2 million general fund appropriation in the legislative applications replacement system line item to replace the various legislative computer applications as recommended by the consultant.

In February 2004 the Legislative Council contracted with Techwise Solutions, LLC, of Fargo to develop a request for proposal seeking a qualified consultant to provide an analysis of all legislative information technology applications. Techwise Solutions, LLC, solicited proposals from thirty local and national consulting firms, and recommended the Legislative Council contract with Enterprise Solutions, Inc., of Bismarck to provide the analysis and document its findings and recommendations.

The Legislative Council is using a mainframe-based bill drafting system and some of the information technology applications date back to the late 1960s. The resulting custom-built applications are based on the unique requirements of the North Dakota legislative process and the systems have been modified and enhanced through the years to provide information technology services to the Legislative Assembly and the Legislative Council. There is substantial risk that the current systems will not be supported in the near future and the Legislative Council is in danger of losing support for these mission-critical systems due to the loss of key personnel resulting from retirements or other job changes. Because some of the critical system technologies may become unsupported within the next five years, the risk is amplified because it may take as long as four years to completely renovate the entire software platform.

Based upon approval of the necessary funds, all legislative session applications, including bill drafting, the bill status system, the LAWS system, Lotus Notes applications, and document preparation will be replaced over the next four years. The administrative code and the budget system are not scheduled for replacement at this time, but they will be more tightly integrated with the new systems.

Because the requested appropriation amount had to be provided to the executive budget office prior to the conclusion of the study by the consultant and because it is unlikely all the work can be completed by the 2007 Legislative Assembly, the Legislative Council staff believes it may be possible to reduce the amount of the necessary funds for the 2005-07 biennium and move some of those costs to the 2007-09 biennium, and we offer our full cooperation to the Appropriations Committees to that end.

### LEGISLATIVE COUNCIL

Subdivision 2 of Section 3 of Senate Bill No. 2001 contains the 2005-07 appropriation for the Legislative Council of \$7,598,596 from the general fund, which is \$65,740 or .9 percent less than the 2003-05 general fund appropriation of \$7,532,856.

The Legislative Council is requesting 33 FTE positions, the same number authorized for the 2003-05 biennium.

### Salaries and Wages

The salaries and wages line item of approximately \$5.2 million includes funding for:

- Thirty-three FTE positions.
- Funding for the Governor's recommended salary increase for state employees of \$208,080.
- The Governor's recommended health insurance premium increase of \$55,836.
- Temporary employees' pay during the 2007 legislative session.
- Legislators' per diem for meetings during the interim of \$520,705, \$11,357 more than the 2003-05 budgeted amount of \$509,348. This request is based on the same number of committees (24) appointed during the 2003-04 interim and assumes an 87.5 percent attendance rate at committee meetings.

### Operating Expenses

The operating expenses line item of approximately \$2.4 million includes funding for:

- Travel expenses relating to meetings during the interim of \$1,008,022, which is \$111,294 more than the 2003-05 budget of \$896,728. The funding request is based on the same number of committees (24) appointed during the 2003-04 interim and assumes an 87.5 percent attendance rate at committee meetings. Of the \$111,000 increase, approximately \$57,000 relates to the proposed mileage reimbursement increase from 31 cents to 37.5 cents per mile as recommended by the Legislative Compensation Commission.
- Data processing costs of \$344,864, which is \$8,343 more than the 2003-05 budget of \$336,521. Data processing costs included in the 2005-07 request relate primarily to maintenance of current systems and to central

processing unit (CPU) charges from the Information Technology Department.

- Information technology consulting totals \$303,000, \$49,530 more than the 2003-05 budget.
- Professional services of \$193,500 is \$500 more than the 2003-05 budget. Major professional services include contracting for the Legislative Council audit (\$5,500) and the State Auditor's office audit (\$8,000) and consulting services to assist with interim committee studies when required (\$180,000).
- Other operating expenses changes are based on the Office of Management and Budget's guidelines as they are applicable and anticipated needs in other areas.

### **Capital Assets**

The capital assets line item of \$41,000 includes funding for replacing miscellaneous computer and other equipment in the Legislative Council office.

### **Information Technology Study**

The 2003-05 biennium appropriation included \$350,000 from the general fund for hiring a consultant to assist with the information technology study. This funding is not being requested for the 2005-07 biennium.

### **RELATED BILLS**

Other bills under consideration that may affect the budget of the legislative branch include:

- Senate Bill No. 2058 increases the state mileage reimbursement rate from 31 to 37.5 cents per mile as recommended by the Legislative Compensation Commission.
- Senate Bill No. 2059 increases the maximum reimbursement legislators may receive for lodging during legislative sessions from \$650 to \$900 per month for legislators staying in motels and to \$750 per month for legislators staying in private residences as recommended by the Legislative Compensation Commission.
- Senate Bill No. 2195 increases the state lodging reimbursement rate from \$45 to \$50 per night plus tax and increases the state meal reimbursement rate from a total of

\$20 per day to a total of \$25 per day. If approved, provisions of this bill are estimated to cost the Legislative Assembly \$3,400 for the 2005-07 biennium and the Legislative Council \$31,276 for the 2005-07 biennium.

- Senate Bill No. 2320 requires the Legislative Council to appoint an interim state-tribal relations committee.
- House Bill No. 1035 appropriates \$115,191 from the general fund to the Legislative Council for one FTE position and related operating costs to assist with additional staff responsibilities associated with the government performance and accountability system created by the bill.
- House Bill No. 1038 creates an advisory commission on the No Child Left Behind Act and provides that the Legislative Council provide staff services to the commission.
- House Bill No. 1222 requires the Legislative Council to determine the fiscal impact of initiated measures.
- House Bill No. 1440 requires the Legislative Council to appoint an interim state-tribal relations committee.
- House Bill No. 1473 appropriates \$5,000 from the general fund to the Legislative Council for costs associated with a commission on alternatives to prison.
- House Bill No. 1488 appropriates \$25,000 from the general fund to the Legislative Council for costs associated with creating an education congress and for conducting an education study.
- House Bill No. 1515 increases the maximum reimbursement legislators may receive for lodging during legislative sessions from \$650 to \$900 per month effective January 1, 2005. If approved, provisions of this bill are estimated to cost the Legislative Assembly \$125,000 for the 2003-05 biennium. The 2005-07 budget request already includes \$98,000 for the lodging increase included in Senate Bill No. 2059 as recommended by the Legislative Compensation Commission.

ATTACH:1

## LEGISLATIVE BRANCH CONTINUING APPROPRIATION

The legislative branch has one continuing appropriation contained in North Dakota Century Code Section 54-35-19. The 1997 Legislative Assembly created the legislative services fund which is used for

depositing and spending money received by the legislative branch relating to the provision of information services. The fund has a \$250,000 maximum balance. The schedule below presents fund activity since 1999.

	Actual 1999-2001	Actual 2001-03	2003-05 as of March 31, 2004	Estimated 2003-05	Estimated 2005-07
Beginning balance	\$53,660	\$89,682	\$141,980	\$141,980	\$191,980
Revenues	36,022	52,298	12,682	50,000	50,000
Total available	89,682	141,980	154,662	191,980	241,980
Expenditures	0	0	0	0	0
Ending balance	\$89,682	\$141,980	\$154,662	\$191,980	\$241,980

February 22, 2005

**STATEMENT OF JOHN D. OLSRUD, DIRECTOR,  
NORTH DAKOTA LEGISLATIVE COUNCIL, REGARDING  
ENGROSSED SENATE BILL NO. 2001,  
FEBRUARY 24, 2005**

Mr. Chairman and members of the House Appropriations Committee.

I am here this morning appearing on Engrossed Senate Bill No. 2001 on behalf of the members of the Legislative Assembly and the members of the Legislative Council to explain the budget requests for the Legislative Assembly and the Legislative Council for the 2005-07 biennium.

**LEGISLATIVE ASSEMBLY**

Subdivision 1 of Section 3 of the bill contains the 2005-07 biennium appropriation for the Legislative Assembly of \$9,017,952 from the general fund. This amount is \$456,700 or 5.3 percent more than the 2003-05 appropriation of \$8,561,252. The amount requested is considered necessary for the organizational session and a 77-legislative-day (111-calendar-day) regular 2007 legislative session. The following schedule presents the number of legislative days for previous sessions:

Legislative Session	Legislative Days
2003	76*
2001	77
1999	71
1997	66
1995	67
1993	77

\*Excludes the three legislative days relating to the May 2003 special session.

The 2003 Legislative Assembly provided funding for an estimated 77-legislative-day 2005 legislative session.

The 2005-07 budget, as requested by the Legislative Assembly, totaled \$13,117,952 from the general fund. This amount included \$4.2 million for replacement of outdated legislative computer applications. The Senate removed the \$4.2 million for the computer project and added \$100,000 for committee room renovations.

**Salaries and Wages**

The salaries and wages line item of approximately \$5.7 million includes funding for:

- Legislative employees' pay for the 2007 legislative session based on the same number of employees employed for the 2003 legislative session of 74.
- Legislators' salary policy of \$125 per day for a 77-legislative-day regular session (111 calendar days).

- Additional compensation of \$10 per calendar day is provided for the legislative leaders and \$5 per calendar day for chairmen of the standing committees and assistant legislative leaders.
- Legislators' monthly compensation of \$250 per month and the additional \$250 per month provided to the House and Senate majority and minority leaders.
- Health insurance coverage for 129 legislators, the same number of legislators that received health insurance coverage during the 2003-04 interim. Current information indicates that 128 legislators have requested health insurance; however, additional legislators may join the plan during the open enrollment period.

**Operating Expenses**

The operating expenses line item of approximately \$3 million includes funding for:

- Legislators' travel costs for 17 trips at 37.5 cents per mile during the regular session and one trip for the organizational session. Based on the Legislative Compensation Commission recommendation as contained in Senate Bill No. 2058, the budget has been increased by \$50,637 to provide for a mileage reimbursement rate of 37.5 cents per mile rather than the current rate of 31 cents per mile.
- Lodging costs for 125 legislators for four months during the legislative session. The Legislative Compensation Commission recommended increasing the maximum lodging reimbursement for legislators during the legislative session from the current rate of \$650 per month to \$900 per month for legislators staying in motels and to \$750 per month for legislators staying in private residences. The additional cost relating to this change, estimated at \$98,000 is included in the budget request.
- Data processing costs of approximately \$871,000 for operating expenses and maintaining current legislative computer systems. A \$9,000 reduction compared to 2003-05 biennium funding levels.
- Information technology consulting services of \$196,000.
- Telephone, telecommunications, and networking charges of \$445,451, an increase of \$63,656 compared to the 2003-05 biennium.



- Professional services of \$106,750, which includes \$90,000 for the privatization of legislative secretarial services, bill and journal room operations, and telephone room operations.

### Capital Assets

The capital assets line item includes the \$100,000 added by the Senate for committee room renovations and \$6,000 for miscellaneous equipment replacement needs.

### National Conference of State Legislatures

The National Conference of State Legislatures (NCSL) line item of \$177,750 is an increase of \$10,226 from the 2003-05 budget of \$167,524. This represents North Dakota's contribution to NCSL and the amount is based on NCSL's estimate of North Dakota's share of the NCSL budget for fiscal years 2006 and 2007.

### Legislative Applications Replacement System

The 2003 Legislative Assembly appropriated \$200,000 to the Legislative Assembly to conduct an infrastructure analysis of legislative computer applications. Based on the consultant's recommendations, the budget request submitted by the Legislative Assembly includes a \$4.2 million general fund appropriation to replace the various legislative computer applications as recommended by the consultant.

In February 2004 the Legislative Council contracted with Techwise Solutions, LLC, of Fargo to develop a request for proposal seeking a qualified consultant to provide an analysis of all legislative information technology applications. Techwise Solutions, LLC, solicited proposals from thirty local and national consulting firms, and recommended the Legislative Council contract with Enterprise Solutions, Inc., of Bismarck to provide the analysis and document its findings and recommendations.

The Legislative Council is using a mainframe-based bill drafting system and some of the information technology applications date back to the late 1960s. The resulting custom-built applications are based on the unique requirements of the North Dakota legislative process and the systems have been modified and enhanced through the years to provide information technology services to the Legislative Assembly and the Legislative Council. There is substantial risk that the current systems will not be supported in the near future and the Legislative Council is in danger of losing support for these mission-critical systems due to the loss of key personnel resulting from retirements or other job changes. Because some of the critical system technologies may become unsupported within the next five years, the risk is amplified because it may take as long as four years to completely renovate the entire software platform.

Based upon approval of the necessary funds, nearly all legislative session applications, including bill drafting, the bill status system, the LAWS system, Lotus Notes applications, and document preparation

will be replaced over the next four years. The administrative code and the budget status system are not scheduled for replacement at this time, but they will be more tightly integrated with the new systems.

Because the requested appropriation amount had to be provided to the executive budget office prior to the conclusion of the study by the consultant and because it is unlikely all the work can be completed by the 2007 Legislative Assembly, the Legislative Council staff believes it may be possible to reduce the amount of the necessary funds for the 2005-07 biennium and move some of those costs to the 2007-09 biennium, and we offer our full cooperation to the Appropriations Committees to that end.

## LEGISLATIVE COUNCIL

Subdivision 2 of Section 3 of Engrossed Senate Bill No. 2001 contains the 2005-07 appropriation for the Legislative Council of \$7,579,890 from the general fund, which is \$84,446 or 1.1 percent less than the 2003-05 general fund appropriation of \$7,532,856.

The Legislative Council is requesting 33 FTE positions, the same number authorized for the 2003-05 biennium.

### Salaries and Wages

The salaries and wages line item of approximately \$5.2 million includes funding for:

- Thirty-three FTE positions.
- Funding for the 3 percent and 4 percent salary increase for state employees of \$189,374.
- The Governor's recommended health insurance premium increase of \$55,836.
- Temporary employees' pay during the 2007 legislative session.
- Legislators' per diem for meetings during the interim of \$520,705, \$11,357 more than the 2003-05 budgeted amount of \$509,348. This request is based on the same number of committees (24) appointed during the 2003-04 interim and assumes an 87.5 percent attendance rate at committee meetings.

### Operating Expenses

The operating expenses line item of approximately \$2.4 million includes funding for:

- Travel expenses relating to meetings during the interim of \$1,008,022, which is \$111,294 more than the 2003-05 budget of \$896,728. The funding request is based on the same number of committees (24) appointed during the 2003-04 interim and assumes an 87.5 percent attendance rate at committee meetings. Of the \$111,000 increase, approximately \$57,000 relates to the proposed mileage reimbursement increase from 31 cents to 37.5 cents per mile as recommended by the Legislative Compensation Commission.
- Data processing costs of \$344,864, which is \$8,343 more than the 2003-05 budget of

\$336,521. Data processing costs included in the 2005-07 request relate primarily to maintenance of current systems and to central processing unit (CPU) charges from the Information Technology Department.

- Information technology consulting totals \$303,000, \$49,530 more than the 2003-05 budget.
- Professional services of \$193,500 is \$500 more than the 2003-05 budget. Major professional services include contracting for the Legislative Council audit (\$5,500) and the State Auditor's office audit (\$8,000) and consulting services to assist with interim committee studies when required (\$180,000).
- Other operating expenses changes are based on the Office of Management and Budget's guidelines as they are applicable and anticipated needs in other areas.

### **Capital Assets**

The capital assets line item of \$41,000 includes funding for replacing miscellaneous computer and other equipment in the Legislative Council office.

### **Information Technology Study**

The 2003-05 biennium appropriation included \$350,000 from the general fund for hiring a consultant to assist with the information technology study. This funding is not being requested for the 2005-07 biennium.

### **RELATED BILLS**

Other bills under consideration that may affect the budget of the legislative branch include:

- Senate Bill No. 2058 increases the state mileage reimbursement rate from 31 to 37.5 cents per mile as recommended by the Legislative Compensation Commission.
- Senate Bill No. 2059, as passed by the Senate, increases, effective March 1, 2005, the maximum reimbursement legislators may receive for lodging during legislative sessions from \$650 to \$900 per month. If approved, this bill will require an additional \$62,500 of expenditures during the 2003-05 biennium and \$125,000 during the 2005-07 biennium, which is \$27,000 more than budgeted for the 2005-07 biennium. As introduced, the bill increased the maximum reimbursement legislators may receive for lodging during legislative sessions from \$650 to \$900 per month for legislators staying in motels and to \$750 per month for legislators staying in private residences as recommended by the Legislative Compensation Commission.
- Senate Bill No. 2195, as passed by the Senate, increases the state meal reimbursement rate from a total of \$20 per day to a total of \$25 per day. If approved, provisions of this bill are estimated to cost the Legislative Council \$14,954 for the 2005-07 biennium.
- House Bill No. 1035 requires additional Legislative Council staff responsibilities associated with the government performance and accountability system created by the bill.
- House Bill No. 1038 creates an advisory commission on the No Child Left Behind Act and provides that the Legislative Council provide staff services to the commission.
- House Bill No. 1222 requires the Legislative Council to determine the fiscal impact of initiated measures.
- House Bill No. 1473 creates a commission on alternatives to prison.
- House Bill No. 1488 creates an education congress and directs a study of the state's education system.

# **EQUIPMENT LIST** **Attachment "B"**



DATE: March 1, 2005

TO: Legislative Council

ATTN: Karen Mund  
PH: 701-328-2919  
FX: 701-328-3336

RE: Update house chambers  
Cust #: Number

FROM: 1DE  
PH: 701-258-6360  
FX: 701-258-2015



6271 Bury Drive, Eden Prairie, MN 55346  
2867 104th St., Urbandale, IA 50322  
8052 Flint St., Lenexa, KS 66214  
5055 S. 111th, Omaha, NE 68137  
1830 East Century Ave., Bismarck, ND 58501  
8140 Brentwood Industrial Dr., St. Louis, MO 63144

Notes:

**EQUIPMENT TOTAL :**

ITEM NO.	MODEL NO.	MANUFACTURER / DESCRIPTION	QTY	SINGLE UNIT PRICE	CONTRACT PRICE	EXTENDED PRICE
<b>EQUIPMENT</b>						
						<b>\$ 22,345.00</b>
1	SCM810	SHURE-MIXER	15	\$	- \$ 1,281.00	\$ 19,215.00
2		INSTALLATION, HARDWARE, TUNING, TESTING	1	\$	- \$ 3,130.00	\$ 3,130.00
3						
4						<b>\$ 26,085.00</b>
5		LECTROSOINCS-DIGITAL MIXER	8	\$	- \$ 2,635.00	\$ 21,080.00
6	DM1812	LECTROSOINCS-FRONT PANEL CONTROLS	15	\$	- \$ 125.00	\$ 1,875.00
7	C-0123	INSTALLATION, HARDWARE, TUNING, TESTING	1	\$	- \$ 3,130.00	\$ 3,130.00
8						
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*Estimate to update  
mixers in house  
chamber sound system  
Lower price for  
analog system  
for digital*

*Karen*

Acceptance Initials

Customer \_\_\_\_\_

AVI \_\_\_\_\_

- Pricing Subject To Verification At  
Order Entry  
- Terms Per ESC Or SIA  
- Freight And Taxes To Be Added

Page 1

Revised 030102

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# North Dakota Legislative Council

## Final Report

### Legislative Application Analysis

Submitted by  
Enterprise Solutions, Inc.

December 28, 2004

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# 1 Executive Summary

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In February 2004, North Dakota Legislative Council (NDLC) contracted with Techwise Solutions, LLC to develop a Request for Proposal (RFP) seeking a qualified consultant to provide an analysis of all legislative applications. Upon review of the proposals submitted, NDLC, with Techwise Solutions, LLC assistance, selected Enterprise Solutions, Inc. (ESI) in May 2004. ESI was contracted in June 2004 to provide an analysis of the current legislative applications and deliver a report documenting the findings and recommendations.

The current NDLC systems have been designed and built over a period of several years beginning in the 1970's. The resulting custom-built applications are based on the unique requirements of the North Dakota legislative process and fully support the various activities. The longevity of the systems has provided time to correct, modify and enhance the systems to provide most of the required functionality. Most of the systems are mainframe-based and are hosted by North Dakota Information Technology Department (ITD). Many other computer systems were developed over time to support the entire legislative process.

A variety of factors are forcing NDLC to consider alternatives to the current legislative applications. Rewriting some or all of these systems is expected to yield business value in the following ways:

- Risk reduction
- Enhance ease-of-use
- Cost reduction
- Enhanced level of service to North Dakota legislators.

The problem of technology obsolescence and loss of knowledgeable support personnel affects the State of North Dakota legislature and related support agencies. The impact is a system that will be unsupportable (operations and maintenance) in the near future and a significant risk of loss of critical systems that support the legislative process. A successful solution would be the replacement of software systems with a modern, user-friendly editing product, replacement of the mainframe-based print rendering engine with a cost effective rendering engine, and the replacement of legacy custom code with new solutions developed by a team of State and 3<sup>rd</sup>-party developers using modern tools, languages and techniques.

NDLC is at great risk of having systems that are unsupportable in the near future due to the age (25+ years old) of key computer programs and related technologies. In addition, NDLC is in danger of losing support for these mission-critical systems due to the loss of key personnel (retirement or job change) and since certain critical system technologies (BookMaster, ISPF, REXX) may become, in practice, unsupported within the next five years.

The risk of loss of support is amplified by the strong possibility that it may take as many as 4 years to completely renovate the entire software platform. A new solution and renovation plan should be developed and implemented as soon as possible.

After conducting research, discussing implementations with other states, and reviewing potential vendor tools and solutions, the recommendation for replacing the legislative systems within North Dakota is to purchase commercial off the shelf (COTS) components as much as possible. Through systems integration efforts, a robust solution will be developed using modern tools, languages, and techniques. All Legislative Session applications (Bill Drafting, Bill Status, LAWS, etc.) and miscellaneous applications (Lotus Notes applications, Document Preparation, etc.) should be considered for replacement together, over the next two biennia. Some of the miscellaneous applications would be in production prior to the 2007 session and all the Legislative Session applications would be in production prior to the 2009 session. Although the Administrative Code and Budget Status systems should not be replaced at this time, they will be more tightly integrated with the new systems.

Many solutions were considered during the analysis of the legislative applications, including:

Alternative	Strengths	Risks
Current solution - Use the current solution to handle all legislative functionality	<ul style="list-style-type: none"> <li>Costs are known</li> <li>Functionality and system are very robust</li> </ul>	<ul style="list-style-type: none"> <li>Resources not readily available for support</li> <li>Maintenance and enhancement difficult</li> </ul>
Reuse a system from another state - Work with another state to reuse its system	<ul style="list-style-type: none"> <li>Costs may be cheaper</li> <li>Use newer technologies</li> </ul>	<ul style="list-style-type: none"> <li>States have unique legislative processes</li> <li>Tools utilized by other states may not be supported in ND</li> </ul>
Purchase end-to-end Commercial Off The Shelf solution (COTS) - Research the market and determine the best fit for a product	<ul style="list-style-type: none"> <li>Potentially an industry standard solution</li> <li>Most likely the quickest to production</li> </ul>	<ul style="list-style-type: none"> <li>Market is small</li> <li>Companies have gone out of business trying to develop and support a standard solution</li> </ul>
* Purchase ND technology standard COTS components (where applicable) and integrate a solution	<ul style="list-style-type: none"> <li>Provides functionality and integration with other systems</li> <li>Dependencies only on technology standard functionality</li> </ul>	<ul style="list-style-type: none"> <li>Difficult to fit all functionality into a single biennium</li> <li>Expertise may need to come from multiple vendors</li> </ul>
Build new system from scratch	<ul style="list-style-type: none"> <li>Completely custom solution</li> <li>Provides 100% functionality</li> </ul>	<ul style="list-style-type: none"> <li>Longest lifecycle (probably most expensive)</li> <li>Not industry best practice</li> </ul>

\* Recommended solution

The project can be divided into three phases. Phase 1 is the Analysis and Design phase and must be nearly completed prior to startup of other phases. Phase 2 (Miscellaneous Legislative applications replacement) and Phase 3 (Legislative Session applications replacement) work can be performed in any order, back-to-back or overlapping. Phase 2 is a 12 to 18 month effort and could be delivered in the 2005-2007 biennium. Phase 3 is an 18 to 30 month effort and

will likely span two biennia. In the table below, it is assumed that Phase 1 and Phase 2 are completed in the 2005-2007 biennium. Phase 3 is shown with a range of costs for each of the next two biennia with total costs for Phase 3 estimated at \$3.3M.

An assumption is made that most of the integration and development effort would be performed by qualified professionals with experience in the tools and architecture selected. ITD should be considered as a valuable resource to provide data conversion services, technology guidance, application development, and ongoing support.

The following project budget guidelines for the 2005-2007 and 2007-2009 biennia were formed after analysis of the North Dakota legislative processes and systems. NDLC personnel are not included in the budget costs.

Project Implementation Costs				
Project Component	Scope	Project Timeline	2005-2007 Cost	2007-2009 Cost
Phase 1 - Technology research, system analysis and design, project management	All applications except Budget Status and Administrative Code	- Must be first Phase - 8 to 10 month effort	\$840,000	
Phase 2 - Installation, integration, testing, data conversion, training, project management, hardware and software	Miscellaneous Legislative applications (Document Preparation, Legislative Desktop, Office Automation) and Miscellaneous Administrative applications (primarily Lotus Notes applications)	- Phase 2 and 3 can be done in any order or at the same time - 12 to 18 month effort	\$760,000	
Phase 3 - Installation, integration, testing, data conversion, training, project management, hardware and software	Legislative Session applications (Bill Drafting, Bill Status, Journal, Committee Hearing, Calendar, LAWS)	- Phase 2 and 3 can be done in any order or at the same time - 18 to 30 month effort	\$600,000 to \$1,950,000	\$1,350,000 to \$2,700,000 (total of \$3,300,000 for Phase 3)
Total 2005-2007 Budget			\$2,200,000 to \$3,550,000	
Total 2007-2009 Budget				\$1,350,000 to \$2,700,000



The table below shows the 10-year costs, by biennium, of implementing the recommended solution and completing Phase 1, Phase 2, and much of the Phase 3 effort in the 2005-2007 biennium.

Projected Costs for <u>Replacing</u> Current Legislative Applications over 2 biennia						
Cost Component	2005-2007	2007-2009	2009-2011	2011-2013	2013-2015	10-Year Total
Hardware Replacement		\$10,000	\$35,000	\$25,000	\$40,000	\$110,000
Software Maintenance		\$30,000	\$35,000	\$45,000	\$50,000	\$160,000
Application Support		\$300,000	\$330,000	\$370,000	\$400,000	\$1,400,000
Implementation Costs	\$3,550,000	\$1,350,000				\$4,900,000
Current Systems Costs	\$800,000	\$200,000				\$1,000,000
<b>Total Biennium Cost</b>	<b>\$4,350,000</b>	<b>\$1,890,000</b>	<b>\$400,000</b>	<b>\$440,000</b>	<b>\$490,000</b>	<b>\$7,570,000</b>

The table below shows the projected 10-year costs, by biennium, of keeping the current systems in place.

Projected Costs for <u>Remaining</u> with Current Legislative Applications						
Cost Component	2005-2007	2007-2009	2009-2011	2011-2013	2013-2015	10-Year Total
Hardware Replacement	\$15,000	\$30,000	\$20,000	\$25,000	\$20,000	\$110,000
Software Maintenance	\$15,000	\$20,000	\$20,000	\$25,000	\$30,000	\$110,000
Application Support – ITD and contractors	\$1,300,000	\$1,500,000	\$1,700,000	\$1,900,000	\$2,100,000	\$8,500,000
ITD Hosting Costs	\$400,000	\$400,000	\$400,000	\$400,000	\$400,000	\$2,000,000
<b>Total Biennium Cost</b>	<b>\$1,730,000</b>	<b>\$1,950,000</b>	<b>\$2,140,000</b>	<b>\$2,350,000</b>	<b>\$2,550,000</b>	<b>\$10,720,000</b>

## **2 Overview**

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This section provides an overview of the scope of the project and the contents of this report. The methodology and approach used to capture the business and technical requirements is discussed. Many individuals provided valuable input into the requirements and recommendations. Additionally, many others provided information and had indirect involvement in this project and their support is greatly appreciated as well.

### **2.1 Scope**

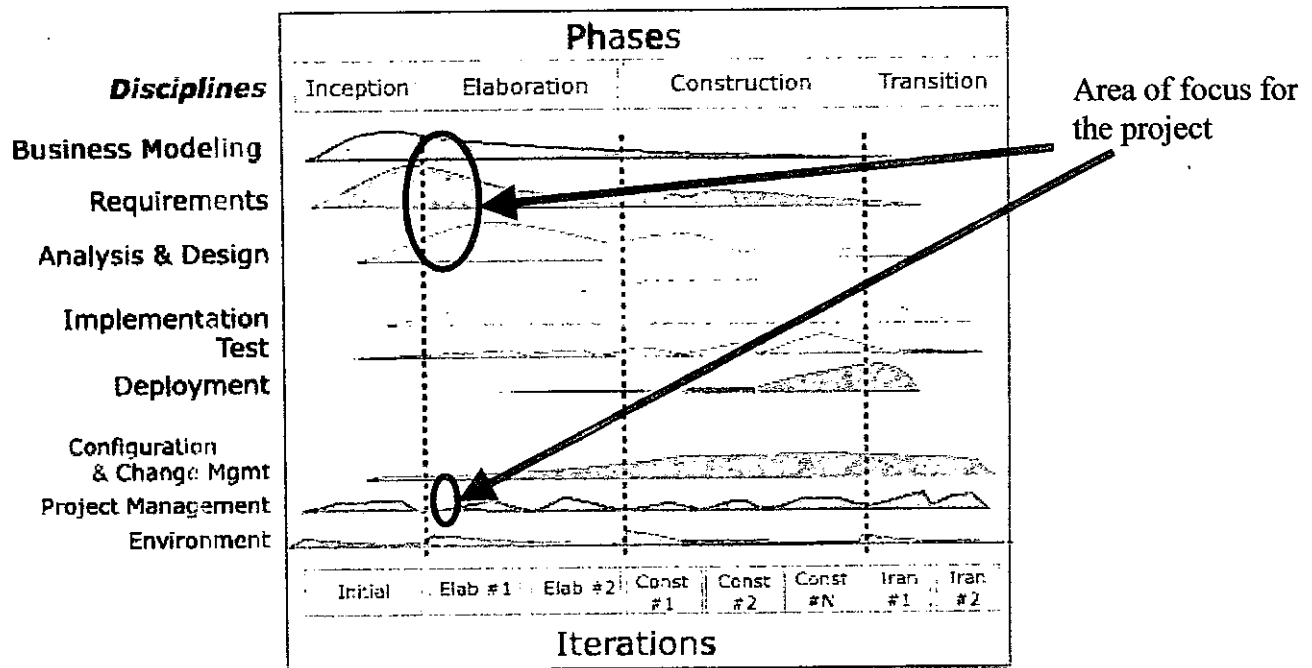
ESI was contracted to provide an analysis of the current legislative applications and deliver a report documenting the findings and recommendations. The goal of the project was to discover and baseline the requirements (both business and technical), document build vs. buy solutions strategies, research solutions (both build and buy), survey other states, make recommendations, construct an initial implementation plan, describe the business case and develop a value proposition.

This report summarizes the methodology used, the project activities performed, and the deliverables captured and created. A discussion of the business needs and rationale for change is presented. The current business and technical environments are examined and requirements are documented. Results of interviews and surveys of other states are included and potential solutions are discussed. A recommended solution is proposed with a business case and cost/benefit analysis.

The remainder of this document provides a high-level build vs. buy analysis and a phased implementation plan for the support systems across two biennial periods beginning with the 2005-2007 biennium. A great deal of supporting artifacts, documentation, and information was captured and can be found in the Supplemental Reference Document.

### **2.2 Methodology and Approach**

ESI engaged an industry standard methodology and process for analyzing the legislative applications. The baseline methodology is the Rational Unified Process (RUP - [www.rational.com](http://www.rational.com)). ESI modified this generic approach to fit the needs of the North Dakota Legislative domain. The following graphic depicts the overall process and where the project focused.



The approach for the project focused on Requirements, Analysis and Design, and Project Management disciplines. From the Phase view, the approach for this project included the late Inception and early Elaboration Phases.

To address the goals of the project, three major milestones were identified. The milestones provided planned checkpoints to ensure the project was moving according to schedule and issues were resolved in a timely fashion. The first milestone was to research solutions implemented in other states. The second milestone was to discover and capture North Dakota business and technical requirements, as well as, research and evaluate "build and buy" solutions and produce initial budget numbers. The third milestone was to summarize and finalize the findings into a validated report.

### 2.2.1 Milestones

The purpose of the first milestone was to review solutions implemented in other states looking for potential similarities, processes utilized, and lessons learned. This activity involved surveying states and researching vendor solutions. A number of states and vendors were interviewed to discuss similar projects. Budgets, technologies, processes, and documentation were captured wherever possible.

The purpose of the second milestone was to harvest, discover, and document the requirements of what is needed by the business. The main tool used was the "Use Case Modeling" to capture the "actors" and high-level requirements. Additionally the technical requirements were captured including non-functional requirements and architecture. "Build vs. Buy" analysis was done and initial

budget numbers were produced. Different solutions were evaluated and presented. The existing applications were categorized against a variety of factors including requirements satisfied, external interfaces, complexity and ease of integration.

The third milestone summarized and finalized the findings into a validated report. This milestone validated a recommended solution and produced a high-level implementation plan, high-level budget, and business case. The reviews were performed with the technical and business team members.

### **2.2.2 Essential Activities**

The activities accomplished during the project include:

- Capture the vision of the project
- Research other states for potential solutions
- Capture the business requirements of the systems
  - Interview key stakeholders
  - Use Case Modeling (discovering actors and major functions required)
  - High-Level Use Case Specifications (high-level requirements gathering)
  - Create a requirements matrix
- Capture technical requirements
  - Interview technical resources
  - Review existing documentation
  - Capture non-functional requirements, (legal, statutory, application standards, performance, etc.)
  - Document technical architectures and key interfaces
- Capture common vocabulary
- Document the risks of the project
- Define candidate architectures for building a solution or buying a solution and evaluate architecture viability
- Prioritize the requirements based on business and technical needs
- Research and evaluate potential solutions
- Estimate and document different solutions based on time and budget
- Evaluate scope, risk and risk mitigation strategies
- Define potential implementation iterations
- Produce and Present Initial Report
- Produce and Present Draft Final Report
- Document different solutions, evaluation criteria and prioritization of solution approaches
- Develop detailed cost/benefit analysis
- Define business case for the solution
  - Return on investment (ROI)
  - Risk and risk mitigation strategies
  - Enhanced ease of use factors

- Enhanced level of service factors
- Present Final Report

### **2.2.3 Essential Artifacts**

The artifacts captured and created during the project include:

- Vision Document
- Glossary
- Use Case Model
- High-Level Use Case Specifications
- Architecture Diagrams
- Business Requirements Matrix
- State Evaluation Matrix
- Risk Document
- Supplemental Requirements Document
  - Technical (non-functional) requirements
- Initial Report
  - Outline of Report
  - Summary of findings
  - Partial reviewed Requirements
- Draft Final Report includes
  - Summary of findings
  - Requirements
  - Initial Budget Estimate
  - Steps to completion
  - Reference to other artifacts
- Final Report
  - Overview
    - Scope
    - Methodology and Approach
    - People and Organizational Involvement
  - Findings
    - Current applications environment
    - Problem Statement
    - Stakeholder Summary
    - Business Requirements
    - Technical Requirements
    - Legislative Application in use in Other States
    - Potential Solutions
  - Recommendations
    - Recommended Solution
    - Build vs. Buy Analysis
    - Business Case
    - Cost/Benefit Analysis
  - Critical Success Factors
  - Conclusion and Next Steps
  - Supplemental Reference Document

### **2.3 People and Organizational Involvement**

Many people and organizations were asked to provide information and time during this project. A special "thank you" to Maryann Trauger for her leadership and willingness to assist whenever asked. The following resources contributed directly to this project:

- ESI
  - Jim Richards
  - Dan Nagel
  - Jim Gienger
- Consultants
  - Brian Walko
  - Dave Schlottman
  - Mark Miller
  - Scott Kost
  - Pat Burns
  - George Gerhardt
- ITD
  - Curt Wolfe
  - Paul Ryba
  - Ellen Bauer
  - Sheryl Horner
  - Steve Gorowski
  - Greg Van Vleet
  - Kyle Forster
  - Dean Glatt
  - Jeff Carr
  - Bill Roach
- NDLC
  - John Olsrud
  - Jay Buringrud
  - Jim Smith
  - Maryann Trauger
  - Allen Knustson
  - Roxanne Woeste
  - Char Sackman
  - Marilyn Johnson

Many others provided valuable information and insight and their efforts are greatly appreciated.

## 3 Findings

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This section provides information about the current environment and the problem that exists with the applications today. It also identifies the stakeholders and the business and technical requirements they identified. Finally, this section documents what solutions are implemented in other states and identifies potential solutions for North Dakota.

### 3.1 *Current Applications Environment*

Information was gathered regarding all applications currently in production at NDLC. NDLC applications were developed at different times using different technologies, tools, and techniques. They are hosted on different platforms and rely on a mix of operating systems and environments. As a result, many application and data interfaces exist and the workflow involved is very complex. No single person or team understands the entire system and the support infrastructure relies on many contractors, numerous product vendors, various ITD groups, and NDLC staff.

Over 800 programs, 600 screens, and 100 files were identified and categorized into 5 application systems. They include:

- Legislative Session (Bill Drafting, Calendar, Journal, Committee Hearing, LAWS, Bill Status)
- Miscellaneous Legislative (Document Preparation, Legislative Desktop, Office Automation)
- Miscellaneous Administrative
- Administrative Code
- Budget Status

The Legislative Session applications are tightly integrated today and are highly dependent on each other for data and information sharing. There is no economical way of considering replacement of these systems individually.

Many Miscellaneous Legislative applications exist to support the pre- and post-session activities. Although these applications are not tightly integrated with the Legislative Session applications, they are somewhat integrated and easily share a great deal of data with them.

The Miscellaneous Administrative applications are primarily written in Lotus Notes and provide a great deal of value to the NDLC staff. Some of these applications have interfaces to other systems including the Legislative Session applications and ConnectND.

The Administrative Code application has been rewritten recently and is, for the most part, a standalone system.

The Budget Status application has also been rewritten recently. It is a derivative of the Executive Branch budget system. It has limited interfaces to the Legislative Session applications today, but the desire is to provide enhanced integration in the future.

The technologies utilized in the current systems are a result of the systems being developed and deployed in a mainframe environment over a period spanning more than 25 years. Although this environment has provided a high degree of reliability, a majority of the technology is not easily supported nor commonly used in new application development today. The list below contains some products that are no longer supported by the manufacturer or ITD. Some of the current products and tools being used are:

- Cobol
- REXX
- Natural
- DYL280
- Lotus Notes
- CLIST
- PostScript
- AFP
- JavaScript
- Java
- XML
- ISPF
- CICS
- TSO
- Entire Broker
- DCF
- VSAM
- Adabas
- Oracle
- PDS
- PDSE
- NTFS
- LIST3820
- FTP
- WSAD
- Dreamweaver
- PL/SQL
- PowerDesigner
- Epic Editor
- PDF
- SearchManager/370
- BookMaster
- Domino.doc
- Arbortext E3

### **3.2 Problem Statement**

<b>The problem of</b>	technology obsolescence and loss of knowledgeable support personnel
<b>Affects</b>	The State of North Dakota legislature and related support agencies
<b>the impact of which is</b>	The applications are unsupportable (operations and maintenance) in the near future and significant risk of loss of critical systems that support the legislative process.
<b>A successful solution would be</b>	The replacement of software systems with a modern, user-friendly editing program, the replacement of the mainframe based print rendering engine with a cost effective rendering engine, and the replacement of legacy custom code with new solutions developed by a team of State and 3 <sup>rd</sup> -party developers using modern tools, languages and techniques.



NDLC is at great risk of having systems that are unsupportable in the near future due to the age (25+ years old) of key computer programs and related technologies. In addition, NDLC is in danger of losing support for these mission-critical systems due to the loss of key personnel (retirement or job change) and since certain critical system technologies (BookMaster, ISPF, REXX) may become, in practice, unsupported within the next five years.

The risk of loss of support is amplified by the strong possibility that it may take as many as 4 years to completely renovate the entire software platform. A new solution and renovation plan should be developed and implemented as soon as possible.

### 3.3 Stakeholder Summary

There are a number of stakeholders with an interest in the implementation project and not all of them are end users. The following table presents a summary list of these major stakeholders.

Name	Description	Responsibilities
Legislators	People who propose legislation and decide on proposed law changes	Draft, review, amend, adopt and otherwise manage changes to state law and related code; most often access and input to systems through administrators
NDLC Executives	Primary decision maker	Manage overall budget and direction of NDLC staff and responsibilities
NDLC Support Staff	Primary data entry operators and administrators of the legislative systems	Entry and processing of all bill drafting information; processing of journal and web deliverables; Overall administration responsibility for these systems;
ITD	Technical support and software development	Provide operations support for entire system; system maintenance and enhancement of certain parts of the system; provide guidance on ND standards
Printer	State Printing office	Provide paper prints of all requested documents
Support Staff Administrator	Primary day-to-day administrator of bill drafting business process	Reviews work requests and assigns work to support staff; makes some decisions on content and format
Publisher	Lexis Law, Third-party processor of legal documentation	Produces bound copies of various documents, including the Century Code and related supplements
Committee Clerk	Person who records activities of a legislative committee	Uses Journal system to record committee activities
Journal Reporter	One person for each chamber (House, Senate) who records chamber activities	Uses Journal or Chamber Message system to record activities and actions of the respective chamber; also responsible for the formation of the daily journal
State Agency	Various users who have access to related information via state Intranet	Access various information through electronic means or via paper copy
Public	Various people interested in legislative activities or actions	Access printed documents via the web or paper copy

### **3.4 Business Requirements**

Two of the primary Legislative Session applications are Bill Drafting and the Journal systems. All internal users access this software using the mainframe TSO environment. There are approximately 160 different bill-drafting screens. Only NDLC support staff has access to Bill Drafting screens. There are approximately 37 people who have access to Journal screens. Most of the work is done while the legislature is in session (January - April of a session year). However, pre-session work extends several months ahead of the session and post-session work generally lasts a month or two after a session ends. During session, system users may work 10 hour days or on weekends to keep up with the workload. Data entry work must be printed, proofread, corrected, and reprinted prior to distribution via web or paper copy.

The current system provides most necessary functionality to support the legislative process. However, the need for replacing the system revolves around risks of maintaining a legacy system.

The major business priorities are ranked as follows:

1. Renovate system technologies to meet current requirements and position the product for better long-term support.
2. Provide easy-to-learn, easy-to-use editor program for bill drafting and journal modules
3. Automate the incorporation of budget status information into the bill drafting system
4. Lower the cost of the print rendering process

### **3.5 Technical Requirements**

Although most business requirements are met by the current systems, they fall short of meeting many technical requirements defined by the North Dakota Enterprise Architecture process. Any new system implemented should utilize approved technologies such as Websphere Application Server, J2EE, Java, .Net, XML, SQL, or Oracle. Research has shown that COTS products exist for an XML-based editor, a document management system based on SQL or Oracle, a workflow process developed in Java, and Web interfaces supported by Websphere. Furthermore, robust publishing tools and search engines are readily available.

ITD, through the Enterprise Architecture process, has developed a standard for application development tools/languages that states "All new applications shall be developed using tools/languages specified in the Application Development Tools/Languages List. New tools/languages will be presented to the domain team for review and evaluation." Although the "standard applies to all executive branch state agencies excluding the University Systems Office and other higher education institutions, i.e campuses and agricultural and research centers.", it is the intent of NDLC to comply with the standard.

Following is a list of the tools/languages supported in the standard:

Direction *	Tool/Language	Additional Information
<b>Design Tools – Database and UML Modeling</b>		
	IBM Rational Rose	
	Oracle Designer	
	Sybase PowerDesigner	
<b>Development Tools/Platforms</b>		
*	Allround Automations PL/SQL Developer	Developing Oracle RDBMS objects
*	Altova XMLSPY	XML
*	ESRI	GIS
*	IBM WSAD/Eclipse	Java
*	Java	J2EE, J2SE, J2ME
*	Macromedia Dreamweaver/Homesite	Web site/page design and development
*	Microsoft.NET	Microsoft Visual Studio .NET, .NET Framework, ASP.NET
	Microsoft Access	End user database tool
	Oracle JDeveloper	Java
	SeeBeyond	Message translation and queuing and HIPAA Translator
	Sybase PowerBuilder	Client/Server
<b>Documentation Tools</b>		
*	Macromedia RoboHelp	Tool used to create help systems for desktop and web-based applications
*	Microsoft Visio	Tool used to create drawings, flowcharts and diagrams
	Patton & Patton Flow Charting	Tool used to draw and design flowchart diagrams
<b>Report Writers</b>		
*	Business Objects Crystal Reports	A Windows based report writer from BusinessObjects
	Jinfonet JReport	Reporting tool from Jinfonet that is portable across any Java platform
	Oracle Discoverer	An ad-hoc query, reporting analysis and web-publishing tool for end users
	Oracle Reports	Client report writer
<b>Configuration Management Tools</b>		
	Computer Associates Librarian	Mainframe
	IBM Rational ClearCase	
	Microsoft Visual Source Safe	
	Oracle SCM	
	WinCVS	

\* Indicates the direction the enterprise is heading or is a preferred tool/language

### 3.6 Legislative Applications in use in other states

Survey data from all 50 states was reviewed and documented. Additionally, more detailed interviews were conducted with 8 states. They include:

- South Dakota
- Nebraska
- Montana
- Minnesota
- Illinois
- Texas
- Delaware
- Washington

No two states have the same business processes nor do any two states have the same technologies deployed. However, most states have similar issues regarding the aging technology being used. Many states have developed, are developing, or plan to develop new systems. Implementation costs varied from \$300K (software licenses only) to \$8M (complete system replacement).

### 3.7 Potential Solutions

The following is a brief description of the alternatives that were considered, the strengths of each alternative, and the risks associated the solution.

Alternative	Strengths	Risks
Current solution - Use the current solution to handle all legislative functionality	<ul style="list-style-type: none"> <li>Costs are known</li> <li>Functionality and system are very robust</li> </ul>	<ul style="list-style-type: none"> <li>Resources not readily available for support</li> <li>Maintenance and enhancement difficult</li> </ul>
Reuse a system from another state - Work with another state to reuse its system	<ul style="list-style-type: none"> <li>Costs may be cheaper</li> <li>Use newer technologies</li> </ul>	<ul style="list-style-type: none"> <li>States have unique legislative processes</li> <li>Tools utilized by other states may not be supported in ND</li> </ul>
Purchase end-to-end Commercial Off The Shelf solution (COTS) - Research the market and determine the best fit for a product	<ul style="list-style-type: none"> <li>Potentially an industry standard solution</li> <li>Most likely the quickest to production</li> </ul>	<ul style="list-style-type: none"> <li>Market is small</li> <li>Companies have gone out of business trying to develop and support a standard solution</li> </ul>
* Purchase ND technology standard COTS components (where applicable) and integrate a solution	<ul style="list-style-type: none"> <li>Provides functionality and integration with other systems</li> <li>Dependencies only on technology standard functionality</li> </ul>	<ul style="list-style-type: none"> <li>Difficult to fit all functionality into a single biennium</li> <li>Expertise may need to come from multiple vendors</li> </ul>
Build new system from scratch	<ul style="list-style-type: none"> <li>Completely custom solution</li> <li>Provides 100% functionality</li> </ul>	<ul style="list-style-type: none"> <li>Longest lifecycle (probably most expensive)</li> <li>Not industry best practice</li> </ul>

\* Recommended solution

NDLC has periodically evaluated off-the-shelf solutions for some or all of the required functions. While certain components (e.g. editor) can be purchased from third-party organizations, complete packaged solutions would require significant changes in the business process and publishing formats currently in use by the state legislature. There is not a compelling business case to suggest that these processes or document formats can or should be changed. Therefore, a custom solution that incorporates a standard editor and a robust publishing tool is necessary or highly desirable.

Vendors evaluated include:

- PSA
- International Roll-Call
- Arbortext
- Xcential
- Proplyon
- Chasy

## **4 Recommendations**

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This section provides the recommended solution based on research and analysis. Also, a build vs. buy analysis is presented with a business case and cost/benefit analysis.

### **4.1 Recommended solution**

After conducting research, discussing implementations with other states, and reviewing potential vendor tools and solutions, the recommendation for replacing the legislative systems within North Dakota is to purchase commercial off the shelf (COTS) components as much as possible. Through systems integration efforts, a robust solution will be developed using modern tools, languages, and techniques. All Legislative Session applications (Bill Drafting, Bill Status, LAWS, etc.) and miscellaneous applications (Lotus Notes applications, Document Preparation, etc.) should be considered for replacement together, over the next two biennia. Some of the miscellaneous applications would be in production prior to the 2007 session and all the Legislative Session applications would be in production prior to the 2009 session. Although the Administrative Code and Budget Status systems should not be replaced at this time, they will be more tightly integrated with the new systems.

The recommended solution includes technologies approved by the Enterprise Architecture process and listed in the Application Development Tools/Language Standard. An assumption is made that most of the integration and development effort would be performed by qualified professionals with experience in the tools and architecture selected. ITD should be considered as a valuable resource to provide data conversion services, technology guidance, application development, and ongoing support.

### **4.2 Build vs. Buy Analysis**

Building the entire solution does not deliver a favorable return on investment and adds significant risk to the entire project. The estimate is that a custom-built development project would take 40% longer and cost 50% more than the recommended approach. Although all the functionality would be included in the development effort, the project would simply take too long, cost too much to develop and support, and put NDLC in the position of assuming all the risk of maintaining the application.

At the other end of the spectrum is purchasing an end-to-end COTS package. The market for a COTS Legislative System is relatively small. Of the few vendors in the marketplace, all provide a partial solution only and none provide a system that meets the technology standards of the state.

Another option considered was porting an existing solution from another state. Although most states were willing to assist, none considered that option as feasible. Some potential problems identified include:

- unique business requirements
- customized workflow
- disparate technologies
- lack of support
- limited documentation

The above analysis contributed to the selection of the recommended solution which includes buying as many COTS components as possible and building the remaining modules using standardized tools and technologies. Through integration efforts, a robust solution will be implemented.

### **4.3 Business Case**

The current NDLC systems have been designed and built over a period of several years beginning in the 1970's. The resulting systems fully support the various activities and documents resulting from the North Dakota legislative process (the drafting, passing and incorporation of new state laws, called Century Code, administrative codes, bill status, journaling, etc.). The unique requirements of the legislative process required a custom software solution. The longevity of the systems has provided time to correct, modify and enhance the systems to provide most of the required functionality. The systems are based upon IBM mainframe hardware and are hosted at ITD and supported by ITD and other contractors. Highly specialized customer software was written to provide the current functionality required by North Dakota legislators. Many other computer systems access or interact with each other and support the entire legislative process.

A variety of factors are forcing NDLC to consider alternatives to the current legislative applications. Rewriting some or all of these systems is expected to yield business value in the following ways:

- Risk Reduction
- Enhanced ease-of-use
- Cost reduction
- Enhanced level of service to North Dakota legislators.

#### **4.3.1 Risk Reduction**

The legislative process would be severely hampered without timely availability of bill drafting, bill status, and other legislative session applications and the functionality they provide. These systems were built over the past three decades using technologies that are no longer in common use. It is quite possible that IBM will cease product support over the next several years due to declining ISPF customer base. Much of the custom code was written in a programming language called REXX. The individuals supporting the systems have moved on

to other opportunities. Additionally it is difficult to find qualified support technicians for the variety of systems. The Bill Drafting system is not covered by a corporate support contract. ITD personnel are familiar with some aspects of the system but have not been trained to support the entire system. REXX is no longer a common programming language so finding qualified individuals to support the systems has become increasingly difficult. Although the system is performing reliably at this time, changes to environment or personnel could create a situation where these systems are not available to the legislative process.

The mainframe editing software, ISPF is also quite complex and requires a lengthy learning curve. Currently, only 1-2 NDLC staff persons fully understand ISPF. The learning curve associated with ISPF magnifies the risk of losing qualified bill drafting editors.

It is important to consider these risks (technology obsolescence and loss of knowledge for support and use) within the context of the potential replacement timeframe. Given the scheduling of budget-setting and legislative sessions, a window of 12-15 months is available within any biennium in which to develop and deliver replacement software. Therefore, if the project were to begin today, obsolescence and loss of supportability or usability will remain a growing risk for the next 4 years. It is vital to immediately begin a replacement effort.

Opportunities derived from reducing dependency on legacy systems:

- Modifications to system possible
- ITD able to support with industry standard technology, otherwise contractors available for support

#### **4.3.2 Enhanced Ease-of-Use**

As previously asserted, the current mainframe-based editing and processing environment is quite complex. Many special functions have been built to address the complexities of the bill drafting process. These functions are implemented in ISPF with very little online help or intuitive instruction. During peak session loads, NDLC must staff part-time employees to keep up with the related workload. A more intuitive, easy-to-learn, easy-to-use editing program would reduce training time and cost and reduce operator errors.

In addition, budget status information must be double entered into the Bill Drafting system from the Budget Status system. This data entry work comes at a critical juncture in the legislative session and can result in extending the session a day or more to allow legislators an opportunity to review final bill drafts that incorporate budget information. Since this data already exists in electronic format (in the Budget Status system), an automated upload of this information would dramatically reduce the effort and complexity associated with the duplicate entry. Automated upload will also reduce the need to proof that section of the bill draft (since it would have been previously proofed in the Budget Status system). Budget status information must also appear in daily journals. Since the Journal

system extracts information from the Bill Draft system, the automation of Budget Status uploads will also speed the building and printing of daily journals.

Opportunities derived from making the system easier to use:

- Ability to supply wizards or What You See Is What You Get (WYSIWYG) editing
- Reduce the number of codes required
- Reduce training time for new and temporary staff
- Allow integration of Bill Status and Bill Drafting systems

#### **4.3.3 Cost Reduction**

The high cost of mainframe processing incurred by NDLC strongly suggests that the entire Bill Drafting system should be moved off of the mainframe. In particular, the translation of BookMaster data into the required print format (called rendering) requires heavy use of the mainframe processor. One user alone may rack up as much as \$8,000 a month in mainframe processing charges. Delays caused by double entry of certain key information (budget status) sometimes forces the legislative session to be prolonged resulting in additional costs to the State. Support personnel costs are also increased due to this additional data entry work. The software is quite complex and difficult to learn. Therefore, training costs for temporary or new staff are also higher than necessary. It is clear that NDLC could save substantially by renovating these key support systems and moving them to a lower cost platform.

Currently NDLC is spending \$1.7M per biennium for support, maintenance, and hosting of the legislative applications. It is estimated the 10 year costs of maintaining the current systems will be \$10.7M.

It is estimated that the new systems will have significant cost savings (about \$3.2M over 10 years) and will provide the Legislative Branch with more flexibility while substantially reducing the risk of losing support.

#### **4.3.4 Enhanced Level of Service to North Dakota Legislators**

The recommended solution will result in more accurate and rapid turn-around of bill drafts and journal modules. This will reduce the amount of time legislators must spend in session. Other related features such as improved system navigation, enhanced searching, and automated Web publishing will improve the access to legislative information by legislators, government personnel, and the general public.

### **4.4 Cost/Benefit Analysis**

The project can be divided into three phases. Phase 1 is the Analysis and Design phase and must be nearly completed prior to startup of other phases. Phase 2 (Miscellaneous Legislative applications replacement) and Phase 3 (Legislative Session applications replacement) work can be performed in any



order, back-to-back or overlapping. Phase 2 is a 12 to 18 month effort and could be delivered in the 2005-2007 biennium. Phase 3 is an 18 to 30 month effort and will likely span two biennia. In the table below, it is assumed that Phase 1 and Phase 2 are completed in the 2005-2007 biennium. Phase 3 is shown with a range of costs for each of the next two biennia with total costs for Phase 3 estimated at \$3.3M.

The following project budget guidelines for the 2005-2007 and 2007-2009 biennia were formed after analysis of the North Dakota legislative processes and systems. NDLC personnel are not included in the budget costs.

Project Implementation Costs				
Project Component	Scope	Project Timeline	2005-2007 Cost	2007-2009 Cost
Phase 1 - Technology research, system analysis and design, project management	All applications except Budget Status and Administrative Code	- Must be first Phase - 8 to 10 month effort	\$840,000	
Phase 2 - Installation, integration, testing, data conversion, training, project management, hardware and software	Miscellaneous Legislative applications (Document Preparation, Legislative Desktop, Office Automation) and Miscellaneous Administrative applications (primarily Lotus Notes applications)	- Phase 2 and 3 can be done in any order or at the same time - 12 to 18 month effort	\$760,000	
Phase 3 - Installation, integration, testing, data conversion, training, project management, hardware and software	Legislative Session applications (Bill Drafting, Bill Status, Journal, Committee Hearing, Calendar, LAWS)	- Phase 2 and 3 can be done in any order or at the same time - 18 to 30 month effort	\$600,000 to \$1,950,000	\$1,350,000 to \$2,700,000 (total of \$3,300,000 for Phase 3)
<b>Total 2005-2007 Budget</b>			<b>\$2,200,000 to \$3,550,000</b>	
<b>Total 2007-2009 Budget</b>				<b>\$1,350,000 to \$2,700,000</b>

The table below shows the 10-year costs, by biennium, of implementing the recommended solution and completing Phase 1, Phase 2, and much of the Phase 3 effort in the 2005-2007 biennium.

Projected Costs for Replacing Current Legislative Applications over 2 biennia						
Cost Component	2005-2007	2007-2009	2009-2011	2011-2013	2013-2015	10-Year Total
Hardware Replacement		\$10,000	\$35,000	\$25,000	\$40,000	\$110,000
Software Maintenance		\$30,000	\$35,000	\$45,000	\$50,000	\$160,000
Application Support		\$300,000	\$330,000	\$370,000	\$400,000	\$1,400,000
Implementation Costs	\$3,550,000	\$1,350,000				\$4,900,000
Current Systems Costs	\$800,000	\$200,000				\$1,000,000
<b>Total Biennium Cost</b>	<b>\$4,350,000</b>	<b>\$1,890,000</b>	<b>\$400,000</b>	<b>\$440,000</b>	<b>\$490,000</b>	<b>\$7,570,000</b>

The table below shows the projected 10-year costs, by biennium, of keeping the current systems in place.

Projected Costs for Remaining with Current Legislative Applications						
Cost Component	2005-2007	2007-2009	2009-2011	2011-2013	2013-2015	10-Year Total
Hardware Replacement	\$15,000	\$30,000	\$20,000	\$25,000	\$20,000	\$110,000
Software Maintenance	\$15,000	\$20,000	\$20,000	\$25,000	\$30,000	\$110,000
Application Support – ITD and contractors	\$1,300,000	\$1,500,000	\$1,700,000	\$1,900,000	\$2,100,000	\$8,500,000
ITD Hosting Costs	\$400,000	\$400,000	\$400,000	\$400,000	\$400,000	\$2,000,000
<b>Total Biennium Cost</b>	<b>\$1,730,000</b>	<b>\$1,950,000</b>	<b>\$2,140,000</b>	<b>\$2,350,000</b>	<b>\$2,550,000</b>	<b>\$10,720,000</b>

## **5 Critical Success Factors**

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There are several key factors in any project that ultimately determine the success or failure of the project. The following critical success factors have been identified for this project:

- There must be strong unified support of the project from all organizations and personnel who have a stake in the project
- A realistic implementation schedule must be established
- The implementation project must be initiated immediately to provide as much time as possible to complete
- Key personnel must be committed to the project and be made available to perform their tasks on the project
- Disciplined project management must be executed to keep the project on track and within budget and schedule constraints

The importance of the first factor cannot be stressed enough. Once the decision is made to move forward, all interested parties must strive to achieve the same goal. It is imperative that everyone works together to eliminate roadblocks, address concerns, and minimize the risk associated with change.

## **6 Conclusion and Next Steps**

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There is a great deal of competition for the limited amount of dollars available for information technology projects. This project will deliver substantial value and a good return on investment for the citizens of North Dakota. Since there is a high probability of losing support for existing applications in the near future and putting the entire legislative process at risk, it is imperative to begin the process of system replacement today. Due to the timing of the legislative sessions, it is very likely the project will take two biennia to complete.

Once funding is secured, a Request for Proposal (RFP) will be developed and released to potential solution providers. Their submitted proposals will be evaluated, contracts will be negotiated, and the project will begin as soon as possible.