

# NORTH DAKOTA LEGISLATIVE COUNCIL

## Minutes of the

### LEGISLATIVE MANAGEMENT COMMITTEE

Tuesday, June 26, 2007  
Harvest Room, State Capitol  
Bismarck, North Dakota

Representative Al Carlson, Chairman, called the meeting to order at 1:00 p.m.

**Members present:** Representatives Al Carlson, Rick Berg, Merle Boucher, Kenton Onstad; Senators Randel Christmann, Dwight Cook, David O'Connell

**Members absent:** Representatives Jeff Delzer, David Monson; Senators Carolyn Nelson, Bob Stenehjem

**Others present:** John Boyle, Office of Management and Budget, Bismarck

David Reis, Professional Contractors, Inc., Bismarck

Stuart Carlson, Kelly Services, Bismarck

John D. Olsrud, Jim W. Smith, Karen J. Mund; Legislative Council, Bismarck

Senator Larry J. Robinson, member of the Legislative Council, was also in attendance.

#### SUPPLEMENTARY RULES

At the request of Chairman Carlson, the assistant director reviewed the [Supplementary Rules of Operation and Procedure of the North Dakota Legislative Council](#).

#### LEGISLATIVE WING RENOVATIONS

At the request of Chairman Carlson, the assistant director reviewed the background of the renovation of the former bill and journal room into the Medora Room, the Great Plains Room, and a smaller bill and journal room. He referred to the architectural drawings, attached as [Appendix A](#), distributed to committee members. Concept 1, page 1, illustrates conversion of the former bill and journal room into two committee rooms and what was originally a hallway into the smaller bill and journal room. Concept 1, page 2, illustrates the two committee rooms without a divider. He said the initial proposal reviewed by the Legislative Management Committee during the 2005-06 interim provided for a folding divider, approximate cost \$25,000, between the two committee room areas. He said the committee approved a solid wall rather than a folding divider in order to provide better sound-deadening acoustics between the two meeting rooms and to reduce the cost by approximately \$16,500. He said the expenses for the renovation project totaled \$174,792.86, not including the shelving in the bill and journal room. He said a number of legislators expressed dissatisfaction with the small size of the two meeting rooms during

the 2007 legislative session and the Facility Management Division was requested to provide an estimate on removing the wall.

Chairman Carlson recognized Mr. John Boyle, Director, Facility Management Division, to present an estimate to remove the wall between the Medora Room and the Great Plains Room. Mr. Boyle distributed an estimate, attached as [Appendix B](#), prepared by Professional Contractors, Inc. (PCI) during the 2007 legislative session. He said the estimate of \$12,850 was based on work being done by PCI while PCI was still onsite working on the fire suppression project. He said the fire suppression project will be completed in August and he suggested that if the wall is to be removed, the decision be made as soon as possible to take advantage of the estimate provided by PCI.

Representative Boucher inquired whether the wall should be removed or should be replaced by a folding divider. Representative Carlson said the Government Operations Division of the House Appropriations Committee met in the Great Plains Room when the 2007 legislative session convened, but soon moved back to the House Conference Room. He said although the Great Plains Room can seat 9 members at the table and 18 to 20 members on side chairs, the room is crowded and line of sight is hindered by the columns. He said it would be the better course to provide for one meeting room. He pointed out there would be some extra costs in removing the wall due to recessing the doors to avoid opening into the hallway, repairing carpet and flooring, and revising the fire suppression system.

Chairman Carlson inquired about the effect of Section 7 of 2007 House Bill No. 1001, which provides: "Any expenditure of funds relating to \$100,000 of the \$200,000 provided for committee room renovations . . . must be approved by a majority of the senate members of the legislative management committee. Any expenditures relating to the remaining \$100,000 for committee room renovations must be approved by a majority of the house of representatives members of the legislative management committee for the biennium beginning July 1, 2007, and ending June 30, 2009." Senator Cook said he is willing to let the House members vote on spending \$100,000. Representative Berg said the authorization should be by a majority vote of the members of the Legislative Management Committee as well as by a majority vote of the House members of

the committee. Representative Boucher suggested the House members vote first, then if the proposal is approved by a majority of the House members, the full committee then vote on the recommendation approved by the House members. **It was moved by Representative Boucher, seconded by Representative Berg, and carried on a roll call vote of House members that the House members authorize use of funds from the \$100,000 available for approval by House members of the committee for removal of the wall between the Medora Room and the Great Plains Room.** Representatives Carlson, Berg, Boucher, and Onstad voted "aye." No negative votes were cast.

**It was moved by Representative Boucher, seconded by Representative Berg, and carried on a roll call vote that the committee authorize removal of the wall between the Medora Room and the Great Plains Room.** Representatives Carlson, Berg, Boucher, and Onstad and Senators Christmann and Cook voted "aye." Senator O'Connell voted "nay."

Chairman Carlson inquired as to how the projects for use of the remaining renovation funds would be determined. Ms. Karen J. Mund, Legislative Administrator, said she is inventorying tables and side chairs in the legislative committee rooms to determine which should be repaired or replaced. The director suggested that the Legislative Council staff be requested to present recommendations to the committee, and then the committee members could tour the areas in the legislative wing which are proposed for renovation. Senator Christmann said this process has worked well in the past, but individual committee members also could present ideas to the committee.

Chairman Carlson inquired whether the renovation ideas would include paint, carpet, tables, and chairs. Mr. Boyle said the Facility Management Division used to be responsible for replacing carpet in the Capitol, and operated under a floor-by-floor schedule, but recent appropriations have not included funds for carpet. He said agencies have used any extra funds to purchase carpet and the Facility Management Division installs the carpet.

Representative Berg requested the Legislative Council staff to identify items or areas for renovation and present a proposed plan to the committee, that individual committee members also present any ideas to the committee, and then the committee could finalize a plan for current and future renovation projects.

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

Chairman Carlson called on the assistant director to review the history of contracting for secretarial, telephone message, and bill and journal room

services. The assistant director said during the 1993 legislative session the House and Senate employed 10.5 stenographers and typists at a cost of \$56,629.20. In addition, he said, the House and Senate each employed a chief stenographer and payroll clerk at a cost of \$14,326.59. Beginning with the 1995 legislative session, he said, the House and Senate shared a part-time payroll clerk and contracted with a private contractor to provide secretarial services at the following employee numbers and costs:

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

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

Legislative Session	Telephone Message Contract Employees	Contract Cost
2001	9	\$44,963.29
2003	9	\$41,265.60
2005	5	\$25,229.34

The assistant director said a single contractor provided secretarial and telephone message services during the 2001 legislative session, and a single contractor provided secretarial, telephone message, and bill and journal room services during the 2003 and 2005 legislative sessions. He said the secretarial service center and the telephone message service center were consolidated into the same room beginning with the 2005 legislative session. He said this consolidation allowed easier assignment of employees to each service area as needed. During the 2007 legislative session, the initial assignment was four employees for secretarial services and two employees for telephone message services. He said cost figures for 2007 cannot be attributed to each separate area due to continuous reassignment during the legislative session. He said these numbers and costs reflect both services in 2007:

Legislative Session	Secretarial and Telephone Message Contract Employees	Cost
2007	6	\$36,897.75

The assistant director said the number of employees assigned to the telephone message service was substantially reduced in 2005 and in 2007 based on estimates resulting from the decreasing use of the 1-800 service during legislative sessions. He

said the number of calls to the telephone message service from North Dakota residents has decreased every session since 1993:

Legislative Session	Number of 1-800 Calls	Number of Contract Employees Assigned for Telephone Messages
1993	62,320	Not applicable
1995	41,668	Not applicable
1997	28,433	Not applicable
1999	22,491	Not applicable
2001	19,478	9
2003	10,021	9
2005	6,282	5
2007	4,227	2

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

Legislative Session	Bill Room Employees	Cost
1997	6	\$39,160.00
1999	6	\$38,840.00
2001	6	\$49,750.00
2003	5	\$29,559.59
2005	3	\$21,988.86
2007	2	\$13,760.28

The assistant director said comparing employee numbers during the last session during which the Senate and House employed employees in the three service areas to the 2007 legislative session contract employee numbers shows a reduction from 35.5 Legislative Assembly employees and 1 part-time payroll clerk (whose compensation during the 2007 legislative session was \$4,468) and 8 contract employees. He said the total cost of the three services beginning with the year all three services were contracted to a third party are:

Legislative Session	Number of Employees	Combined Services Cost
1993 secretarial; 1995 bill room; 1999 telephone	35.5 Legislative Assembly	\$185,296.09
2001	19 contract	\$119,689.26
2003	18 contract	\$94,459.32
2005	12 contract	\$76,848.79
2007	8 contract + 1 part-time clerk	\$50,658.03 + \$4,468

He said the Legislative Management Committee prepares the requests for proposals for the services and makes recommendations before each legislative session. He said the chairmen of the Senate and House Employment Committees sign the contracts during the organizational session.

## Kelly Services

Chairman Carlson recognized Mr. Stuart Carlson, District Manager, Kelly Services, for a presentation regarding the secretarial, telephone message, and bill and journal room services provided by Kelly Services during the 2007 legislative session. Mr. Carlson distributed a prepared statement, a copy of which is attached as [Appendix C](#).

Mr. Carlson said the contract price for eight employees during the 2007 legislative session was \$714.25 per day for 77 days, which could have totaled \$54,999. He said the actual billings amounted to \$49,658.03, representing a savings of \$5,339 off the contract price. He said the savings resulted from time management, especially with respect to having employees at work only if there was work to do. He said the difference between his figure and the Legislative Council staff figure is that his figure does not include training costs in December, before the session convened.

Mr. Carlson said the employees in the bill and journal room area especially noted the value of having a high-speed printer/copier to make copies of amendments and conference committee reports.

In response to a question from Representative Onstad concerning installation of the printer/copier in the bill and journal room, the assistant director reported that a decision by the Legislative Management Committee last interim was to reduce substantially the number of printed bills and journals available in the bill and journal room and rely on a high-speed printer/copier to make any additional copies needed to meet demand.

Representative Berg requested that cost comparisons between the operation of the bill and journal room during the 2005 legislative session and the 2007 legislative session be presented to the committee.

## LEGISLATIVE PROCESS QUESTIONNAIRE

Chairman Carlson requested the assistant director to review a proposed [2007 Legislative Process Questionnaire](#). The assistant director said the questionnaire is the same as that used after the 2005 legislative session. He said the questionnaire is being presented to the Legislative Management Committee for comment before distribution to legislators. It was the consensus of the members that the questionnaire be distributed as proposed to the committee.

## USE OF LEGISLATIVE CHAMBERS

Chairman Carlson called on the assistant director to review the [Guidelines for Use of Legislative Chambers and Displays in Memorial Hall, North Dakota State Capitol](#). The assistant director reviewed a request by the Land Department to use the House chamber on November 6, 2007, to conduct an oil and gas lease auction. He said the request originally was

made to the Legislative Management Committee in October 2006, and the committee approved use of the House chamber on May 1, 2007, and August 7, 2007, but deferred approving use of the House chamber on November 6, 2007, because that date was more than one year in advance.

**It was moved by Representative Berg, seconded by Senator O'Connell, and carried on a voice vote that the committee approve use of the House chamber on November 6, 2007, to conduct an oil and gas lease auction.**

### **USE OF LEGISLATIVE COMMITTEE ROOMS**

Chairman Carlson called on the assistant director to review the [Guidelines for Use of Legislative Committee Rooms, North Dakota State Capitol.](#)

### **LEGISLATIVE RULES**

The assistant director said he compiled a list of rules questions and issues that were brought to his attention during the 2007 legislative session and these items will be presented to the committee at a future meeting.

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

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Jay E. Buringrud  
Assistant Director

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John D. Olsrud  
Director

[ATTACH:3](#)