

# NORTH DAKOTA LEGISLATIVE COUNCIL

## Minutes of the

### LEGISLATOR COMPUTER REPLACEMENT TASK FORCE

Monday, January 28, 2008  
Harvest Room, State Capitol  
Bismarck, North Dakota

Representative Bob Martinson, Chairman, called the meeting to order at 1:00 p.m.

**Members present:** Representatives Bob Martinson, Bob Skarphol, Blair Thoreson; Senators Tom Seymour, Rich Wardner

**Members absent:** Representatives Pam Guleson, Lee Kaldor, Jim Kasper; Senators Ray Holmberg, Larry J. Robinson

**Others present:** Maryann F. Trauger, Legislative Council

See [Appendix A](#) for additional persons present.

Chairman Martinson said Representative Al Carlson, Chairman of the Legislative Council, appointed this task force with the charges to make recommendations concerning replacement of the notebook computers used by legislators, use of mobile communications devices (smartphones) by legislators, and use of technology in legislative committee rooms.

#### BACKGROUND INFORMATION

Chairman Martinson recognized the assistant director for presentation of a memorandum entitled [Legislators' Computers - Background Information](#). The memorandum reviews the development of use of computers by legislators beginning with the 1987 legislative session, types of notebook-style personal computers used by legislators beginning with the 1995 legislative session, and the impact of the legislative applications replacement system project. The memorandum notes that a potential feature of the new legislative applications replacement system is notification of legislators and others of the times bills of interest will be heard, and the type of notice will depend on the type of hardware used by the recipients. The memorandum identifies various types of technology upgrades to legislative committee rooms, including network wiring, projectors, screens, and connections to the state's interactive video network. The memorandum also identifies smartphones as a way of accessing e-mail and receiving notifications. With respect to personal computers, the memorandum identifies features of full-feature notebooks, tablet computers, and thin client computers.

Senator Seymour noted that smartboards are used in high schools for making presentations to classes. Representative Skarphol said a smartboard was demonstrated to the Information Technology

Committee at its meeting in Fargo on January 18. He suggested a couple of smartboards could be available for use in committee rooms as the need arises.

Representative Martinson said voice recognition is a developing technology and is a potential for use by committee clerks in taking minutes of meetings.

Representative Skarphol said thin clients in committee rooms may be a way of installing technology in all the committee rooms. He suggested legislators could have the option of two thin clients--one in the committee room and one in the chambers or for mobile use.

In response to a question from Representative Skarphol, Ms. Maryann F. Trauger, Manager, Information Technology Services, Legislative Council, said it would take more staff effort to maintain thin clients in addition to full-feature notebooks in a varying mix depending upon what individual legislators selected.

In response to a question from Representative Thoreson, Mr. Duane Schell, Unified Communications, Information Technology Department, said thin clients are used in an office environment requiring consistent uniform applications. He said where personalized or individually installed applications are used, thin clients would not be a computer of choice.

In response to a question from Representative Skarphol, Mr. Schell said the "back end" of a system with thin clients and servers is that the applications would be updated and the service would be more focused at the server rather than the user level.

Representative Martinson said legislators need to think in terms of the future. In response to a question from Representative Martinson as to the funding available, Mr. Jim W. Smith, Director, Legislative Council, said the specific appropriation for legislator computer replacement was \$300,294. He said if the task force recommendation is for additional funds, the Legislative Council chairman could authorize use of funds from available carryover funds.

Senator Seymour said Minot State University just purchased notebook computers under the state contract and he inquired as to the types of computers under consideration.

## POLICY ON LEGISLATOR USE OF PERSONAL COMPUTERS

At the request of Chairman Martinson, the assistant director reviewed a memorandum entitled [Policy on Use of Personal Computers by Legislators](#). The assistant director said regardless of whether a legislator selects the personal use option for use of the state-provided computer, North Dakota Century Code (NDCC) Section 16.1-10-02--the prohibition of using property belonging to or leased by or any service provided to or carried on by the state or any state agency for any political purpose--applies.

Representative Martinson said the political use of state property is an issue that should be clarified. He cited examples of a legislator receiving an e-mail announcing a caucus meeting, a gathering of fellow party members, and a solicitation of funds for a candidate. The assistant director said legislators, by nature of the office held, are political. He said the primary question with respect to NDCC Section 16.1-10-02 is the "use" of state property or service. He said a legislator cannot stop someone from sending an e-mail to that legislator. He said a response to a query such as those posed by Representative Martinson should not rise to the level of violation of the section. He said there always will be a "gray" area in interpreting the statute because it would not be possible or practical to list every possible use of property or service which may or may not give rise to "using" property or equipment for a "political purpose" or a "political activity."

In response to a question from Representative Martinson, Mr. Schell said private computers can be connected to the state network if the computers have VPN Client software installed. However, he said, the computer needs to meet state information technology standards, e.g., have an active antivirus program and software with updated security patches as appropriate. He said the main issue is whether the computers connected to the state network are managed according to Information Technology Department policy.

In response to a question from Representative Skarphol, Mr. Schell said the Information Technology Department is reviewing software that would check the user's computer for updates when the computer is connected to the network.

In response to a question from Representative Skarphol, the assistant director said the policy on use of personal computers by legislators does not restrict a legislator from giving the legislator's name and personal identification to a third party. He said the prohibition that an authorized user may not "sell or provide any access to legislative information systems to which that user has been authorized or granted access" relates to the initial adoption of the policy with the intent that the legislator would not resell access to the bill status system, because access to the bill status system was fee-based at that time.

Mr. Schell said the state information technology policy is to not allow sharing of IDs and passwords.

## SMARTPHONES

Chairman Martinson recognized Ms. Lisa Feldner, Chief Information Officer, Information Technology Department. Ms. Feldner distributed a letter to the director concerning the use of mobile devices, a copy of which is attached as [Appendix B](#). She said she was asked for her thoughts on technology in committee rooms. She said smartboards are not portable devices. She said a smartboard must be affixed permanently to the wall and the projector must be mounted to the ceiling to maintain calibration between the projector and the smartboard. She said a presentation for a smartboard is a preplanned presentation and software must be downloaded to the projector. She said three flat screen monitors could be installed in a committee room for the same cost as a smartboard.

Ms. Feldner introduced Mr. Gary Vetter, Customer Service, Information Technology Department, to review the letter. The letter notes that the department supports three major players in smartphone technology--BlackBerry, Palm, and PocketPC. He said the department leaves the choice of the particular device to the agency.

In response to a question from Representative Skarphol as to how the cost of the voice or data plan is paid by the department, Mr. Vetter said the arrangement that has been developed is that the employee pays the provider for the voice and data plan and the state reimburses the employee for the data plan. The letter notes the Information Technology Department promotes the use of the department's BlackBerry Enterprise Server rather than the use of the BlackBerry Internet service. He said the use of the state's BlackBerry Enterprise Server maintains security levels within the state network. He said initial security is provided by requiring a four-digit PIN for use of the device other than for receiving or making a call. He said the cost of \$150 per setup plus \$17 per month for BlackBerry devices was based on 25 users. He said this fee schedule is being revised because there are approximately 168 BlackBerry users. He said the fees will be reduced to approximately \$80 per setup plus \$6 per month for the BlackBerry Enterprise Server.

Mr. Vetter pointed out that the prices for the BlackBerry devices described in the letter--ranging from \$29.99 to \$149.99--apply to a state agency acquiring the device, not an individual. He said the devices normally do not last more than 18 months to 24 months, and replacements may be purchased under the state plan every 10 months without contractual penalties.

## NOTEBOOK AND TABLET COMPUTERS

Ms. Feldner introduced Mr. Patrick Forster, IT Procurement, Information Technology Department, to review information on notebook and tablet personal computers. Mr. Forster distributed materials, including *Excerpts from Gartner Notebook Technology Overview - December 2007; Sneak Peek: Survey Shows Slow Vista Update; Don't Skip Windows Vista Entirely*, and specifications on the HP Compaq 8510p Notebook PC mainstream and power user laptops available through the state plan. Copies of these documents are attached as [Appendix C](#).

Mr. Forster said he does not recommend tablet computers. He said the experience of Information Technology Department personnel using tablet computers is that the computers are more prone to damage and they require careful use.

In response to a question from Representative Martinson, Mr. Forster said the HP 8510p notebook does not have a camera. Representative Martinson said a camera should be considered an essential feature because this would allow a video type of conferencing by legislators.

In response to a question from Representative Skarphol, Mr. Schell said the Microsoft Vista operating system does allow the use of a two-gigabyte memory stick to increase its memory, but the effect would not be the same as installing two gigabytes additional memory because the performance is not as integrated.

In response to a question from Representative Skarphol, Mr. Schell said the use of Vista raises several issues. He said the Information Technology Department is testing applications with Vista. He said some applications that work on Windows XP do not work on Vista. Ms. Trauger said applications being developed for the new legislative applications replacement system initially were being developed for Windows XP but are being developed for Vista because that is the new system now and into the future. She said the Legislative Council staff is testing applications with respect to compatibility with Vista. She said the applications being developed to work on Vista will work on Windows XP.

Representative Skarphol asked what the plan is if the new applications are not ready for the 2009 legislative session. Ms. Trauger said the current system is mainframe and Internet-based. She said both systems will be tested to work on Vista so that the old system will work with Vista if necessary.

## NEXT TASK FORCE MEETING

Chairman Martinson tentatively scheduled the next meeting of the task force for Wednesday, February 27, 2008, for presentation by vendors of various notebook computers and for presentations regarding use of smartphones, and for a recommendation on legislator computers tentatively scheduled for Thursday, February 28, 2008.

Task force members discussed suggested minimum requirements for notebook computers to be presented by vendors:

- 2.0-gigahertz processor.
- 2-gigabytes memory.
- 160-gigabytes disk space.
- DVD/CD-RW drive.
- Bluetooth enabled.
- Camera.
- 15.4-inch screen and an alternate 17-inch screen.
- A "soft" keyboard to reduce sound of keying.
- A description of the type of support available in Bismarck.

Chairman Martinson also requested estimates for installing two flat screens in each committee room. The assistant director reviewed the past use of AVI Systems, Bismarck, for providing sound systems and video installation estimates for the legislative areas in the Capitol. He said, without objection, AVI Systems would be requested to provide the estimates for video in the committee rooms.

In response to a question from Representative Skarphol, Ms. Trauger said she would have preferred the computers be acquired as early as possible to allow for distribution and training that would not conflict with the testing and training of the new legislative applications replacement system in July and August. She said the notebook computers should be delivered to the Legislative Council office by June 30 to allow time for preparation for distribution to legislators without severely hampering testing and training on the new legislative applications replacement system.

In response to a question from Senator Wardner, Ms. Trauger said personal applications on existing notebook computers used by legislators may not work with Vista. She said difficulty in providing new computers to legislators will occur if legislators insist on a means whereby personal applications must be migrated to their new computer. It was a consensus of the task force members that legislators who have installed their own applications on the current notebook computers should be responsible for removing those applications.

No further business appearing, Chairman Martinson adjourned the meeting at 3:45 p.m.

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Jay E. Buringrud  
Assistant Director

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Jim W. Smith  
Director

ATTACH:3