

# NORTH DAKOTA LEGISLATIVE COUNCIL

## Minutes of the

### LEGISLATIVE MANAGEMENT COMMITTEE

Tuesday, January 29, 2008  
Roughrider Room, State Capitol  
Bismarck, North Dakota

Representative Al Carlson, Chairman, called the meeting to order at 1:45 p.m.

**Members present:** Representatives Al Carlson, Rick Berg, Merle Boucher, Jeff Delzer, David Monson; Senators Randel Christmann, Dwight Cook, Carolyn Nelson, David O'Connell

**Members absent:** Representative Kenton Onstad; Senator Bob Stenehjem

**Others present:** See [Appendix A](#)

#### JOINT MEETING WITH LEGISLATIVE COUNCIL

##### Legislative Applications Replacement Project Status Report

At the request of Chairman Carlson, Mr. Jim Gienger, project manager of the legislative applications replacement system project, provided a status report. Mr. Gienger introduced PTC representatives Mr. Paul DeMarco, Mr. Brian Connolly, Mr. Nils Edstrom, and Ms. Nancy O'Dell who participated in the meeting by teleconference.

Mr. Gienger reviewed the *Quarterly Project Status Report* for the period October 1 through December 31, 2007. A copy of the report is attached as [Appendix B](#). The executive summary notes that the overall project status is green, which indicates a strong probability the project will be delivered on time, within budget, and with acceptable quality. Mr. Gienger reviewed accomplishments during the reporting period, with emphasis on training on the editor, which is used throughout the drafting process with respect to creating all documents in the legislative branch. He said XML technology is driven by two concepts--data and format. He said the DTD development defines the format of data and uses stylesheets to provide various views of the data.

Mr. Gienger reviewed the expected accomplishments during the next reporting period, specifically completion of the drafting application bundle. He said bundles were developed to group-related milestones to allow an easier indication of progress of the project.

Mr. Gienger said there are three identified project risks that have not been resolved or mitigated. He said these risks include user authentication capabilities, development of a support plan for the 2009 legislative session, and development of a training plan. He said the overall plan is to complete the project by November 2008, and the thought has been that money available to support the old legacy

system would be available to support the new system beginning with the 2009 legislative session.

Mr. Gienger reviewed the LARP Application Bundle (AB) Schedule and Progress, a copy of which is attached as [Appendix C](#).

Representative Carlson said there appears to be several milestones yet to be completed, and he is concerned the number of milestones seems to be high with respect to the limited time between now and November. Mr. Gienger said the contract was entered in June 2007 so the timeframe is not quite 50 percent complete which correlates roughly with the milestones completed. He said he continuously reviews the project schedule and he agrees that careful oversight is required on milestone completion.

In response to a question from Representative Meyer, Mr. Gienger said the project will not necessarily fail if a critical path bundle fails. He said PTC will deliver everything required, and the impact of failure of one critical path bundle would depend upon the need for that bundle to be completed before the 2009 legislative session convenes.

In response to a question from Representative Skarphol, Mr. Gienger said the Legislative Council staff is validating the work as it is done by PTC. For example, he said, the migration of the North Dakota Century Code is complete, and the Legislative Council staff has been spot-checking various sections and will be proofreading replacement volumes scheduled for publication this spring against the migrated data base.

Ms. O'Dell reviewed the project vision, which included the goals of the project. She said the Legislative Council staff will be impacted where processes are newly automated. She said an example is the workflow's work request process, by which requests are created, assigned, routed, drafted, and reviewed electronically. She said an impact on the legislative community would be features to allow subscriptions for various events, such as committee hearing scheduling and status. She said an impact on state agencies would be the ability to further advance the electronic transfer of information.

Ms. O'Dell said the framework has been developed, including migration of the North Dakota Century Code and North Dakota Administrative Code, amendments, bills and resolutions, the Constitution of North Dakota, and the *Rules and Committees* book. She said none of this is a "wow" factor, but these projects are the most critical and significant time is spent in their development. She said the Internal

Posting Application Bundle includes the new Legislator's Automated Work Station system (LAWS) environment for legislators. During March and April, she said, legislators will be asked about what they want in that environment.

Ms. O'Dell said one "wow" factor for the Legislative Council staff is the generation of amendment language. She said the current process relates back to typewriters and drafting of directions which would be followed by the individuals who engross and enroll bills. The new technology is to directly make the changes to the bills, which in turn results in the automatic engrossment and generation of the directions. She said this would be illustrated by Mr. Connolly.

In response to a question from Representative Delzer, Ms. O'Dell said her reference to using digital signatures to indicate signing of a measure is an option that would be available and a digital signature could only be added or authorized by the individual whose signature is required.

In response to a question from Representative Skarphol, Ms. O'Dell said software used by PTC is enhanced continuously and features are added through upgrades to the software. In many instances, she said, if a milestone is delayed a week or two or three it is because those updates are being included. She said PTC is primarily configuring the applications without affecting the core product. She said the Legislative Council staff will receive everything, including any core software enhancements and fixes as part of a support plan.

Mr. Connolly reviewed the development of the amendment module. He said directions beyond simple adds and deletes are involved. For example, statutory language is removed by overstrike, overstrike is removed by removing overstrike, and nonstatutory language is removed by deletion; statutory language is added by underscore and nonstatutory language simply is added.

Mr. Connolly reviewed the Change Management Module, whereby a drafter would electronically revise the bill by using XML markup. He said the concept is that the bill drafter would use the correct markup and that would result in accurate directions being prepared. He said the colors are used in electronic versions of bills to emphasize new statutory language (green underscore) and removal of statutory language (red overstrike) and to show an amendment's effect of adding language (shaded green) and removing language (shaded pink).

Senator Flakoll inquired as to the effect of a viewer being colorblind. Ms. O'Dell said there are several ways of showing changes other than color-shading, such as boxing the language. She said an alternative to shading could be available for the person to select if colors were an issue.

Senator Christmann said there needs to be a way to ensure that the version of the bill reflecting an amendment prepared for a legislator would not be confused with an engrossment. Ms. O'Dell said a

watermark could be used to distinguish versions of bills.

## MISCELLANEOUS

Senator Heitkamp said he has received several e-mails from members of his caucus with respect to ethics. He requested information of ethics of legislators.

The assistant director said the Legislative Council is required to establish an Ethics Committee, and the Council has delegated the Ethics Committee responsibility to the Legislative Management Committee. He said the code of ethics recommended by the committee has been adopted by the Legislative Assembly as Joint Rules 1001 through 1004. He said no separate code of ethics has been developed other than Joint Rule 901, prohibiting sexual harassment.

Senator Heitkamp said his question relates to the protocol if there is a complaint concerning an ethical violation by a legislator. Representative Boucher requested distribution of Joint Rules 1001 through 1004 to members of the Council and members of the Legislative Management Committee. Senator Heitkamp said no one is claiming an ethical violation, but members of his caucus are concerned about inappropriate meetings that have been held.

No further business appearing, Chairman Carlson adjourned the joint meeting of the Legislative Council and Legislative Management Committee at 3:10 p.m. Chairman Carlson convened the meeting of the Legislative Management Committee at 3:35 p.m.

## USE OF LEGISLATIVE CHAMBERS

At the request of Chairman Carlson, the assistant director presented a request from Ms. Lisa Feldner, Chief Information Officer, Information Technology Department, for the University System to use the House and Senate chambers for a 150-notebook connection to test the PeopleSoft 9.0 upgrade on Monday and Tuesday, April 14-15, 2008; and a request from Mr. Robert Hetler, North Dakota High School Activities Association (NDHSAA), to use the House and Senate chambers and legislative committee rooms for the NDHSAA State Student Congress on Thursday and Friday, November 5-6, 2009. Mr. John Wohl, Information Technology Department, said the request for use of the chambers for the PeopleSoft upgrade test also should include April 16.

In response to a question from Representative Delzer, Mr. Wohl said the chambers were requested rather than areas on the campuses because of the number of power supplies required.

**It was moved by Senator Cook, seconded by Senator Nelson, and carried on a roll call vote to approve the uses as requested for April 14-16, 2008, and November 5-6, 2009.** Representatives Carlson, Berg, and Delzer and Senators Christmann, Cook, and Nelson voted "aye." No negative votes were cast.

## SESSION ARRANGEMENTS

### Legislative Internship Program

The assistant director reviewed the legislative internship program. He said 12 interns were authorized for the 2007 program. He said the usual allocation of interns is eight from the University of North Dakota School of Law, two from the University of North Dakota Graduate School, and two from the North Dakota State University Graduate School. In 2007, he said, nine were from the School of Law and two were from the University of North Dakota Graduate School and North Dakota State University did not provide any interns. He said the critical element of an intern's duties is preparation of amendments. He said this duty as performed by law school students is especially important to the Legislative Council staff.

The assistant director reviewed the stipend provided to the participants in the legislative internship program. He said interns are students participating in a program for course credit and not "employees" and thus receive a stipend rather than compensation. He said law school accreditation standards do not permit paying compensation to students while taking coursework. He said the program has been a three and one-half month program and in 2007 the stipend was \$1,730 (\$6,055 for three and one-half months). He said the stipend has been maintained just below the compensation level for committee clerks for an equivalent period of time. He said the stipend has normally been set in January while compensation of committee clerks has been set in November. He said a stipend based on the 2007 stipend increased by 4 percent each year will result in a stipend of approximately \$1,875 per month.

The assistant director said the issue with respect to course credit is of concern to the law school. He said a means of continuing the course credit may be that attorneys on the Legislative Council staff will be instructing a number of classes during the legislative session.

The assistant director said the Legislative Council staff recommends that the stipend be increased to \$1,875 per month and the program be extended to four months. He said the level of the stipend may have made it difficult to recruit interns because 6 out of the 11 interns during the 2007 legislative session were from the Bismarck-Mandan area. He said the committee could consider increasing the stipend to \$2,000 per month to try to attract a more diverse geographical dispersion of legislative interns.

**It was moved by Representative Berg, seconded by Senator O'Connell, and carried on a roll call vote that the legislative internship program be continued through the 2009 legislative session on the same basis as it was for the 2007 legislative session, that the program be a four-month program, that the stipend for each intern be \$2,000 per month, and that the director of the Legislative Council be authorized to allocate the 11 intern positions among participating**

**entities as needed.** Representatives Carlson, Berg, and Delzer and Senators Christmann, Cook, Nelson, and O'Connell voted "aye." No negative votes were cast.

### Chaplaincy and Legislative Tour Guide Programs

The assistant director described the chaplaincy program in effect during the 2007 legislative session. He said the local ministerial associations traditionally have been asked to coordinate the scheduling of chaplains from around the state for opening prayers for both houses each day of the session. Since 1984, he said, a letter has been distributed to all legislators giving them until December 31 to schedule clergy from their home districts, after which the schedule prepared by the local coordinator would be followed. He said this letter is included in the packet of informational materials distributed to legislators during the organizational session. The assistant director said a chaplain is paid an honorarium of \$25. He said the honorariums during the 2007 legislative session totaled \$3,300.

The assistant director said for the past 16 legislative sessions there has been a tour guide program to coordinate tours by high school groups during the legislative session.

Senator Christmann said as assistant leader he works with the tour guide in coordinating tours and the tour guide during the 2007 legislative session was the best tour guide with whom he has ever worked. He said he attended some tour guide presentations to tour groups and was impressed as to the presentation. He said the feedback provided by the tour guide is valuable to legislators.

**It was moved by Senator Christmann, seconded by Senator Nelson, and carried on a roll call vote to invite the local ministerial associations to schedule chaplains for opening prayers for both houses each day of the 2009 legislative session; to request the Legislative Council staff to distribute a letter to all legislators notifying them they have until December 31 to schedule out-of-town clergy to give the opening prayer any day of the session for their house, after which the schedule would be followed and preemption would not take place; and to authorize the Legislative Council staff to hire a tour guide and an assistant tour guide during the 2009 legislative session to be paid from Legislative Assembly funds.** Representatives Carlson, Berg, and Delzer and Senators Christmann, Cook, Nelson, and O'Connell voted "aye." No negative votes were cast.

## LEGISLATIVE SPACE

### Medora/Great Plains Room Committee Table

At the request of Chairman Carlson, the assistant director reviewed the information presented to the committee at its January meeting concerning a proposal to install an oak conference table in the

Medora/Great Plains committee room. He said the proposal was for an oak conference table in a semicircular shape following the north wall of the room, 36 inches wide, with a privacy panel similar to that of the table in the Prairie Room, with either an oak top or a laminate top, and with an inlay or to-the-edge top if laminate. He said the cost of an inlay-style top was estimated at \$8,342 and the cost of the laminate-to-edge top was estimated at \$7,000, exclusive of delivery and setup.

Representative Carlson said he prefers a laminate top because of the abuse tabletops get through binders and appliances placed on the tabletops. He said he favors the professional look of an inlay-style top.

**It was moved by Senator Nelson, seconded by Senator O'Connell, and carried on a roll call vote that the committee authorize the purchase of a 36-inch wide, semicircular oak conference table for the Medora/Great Plains Room with an inlay black laminate top, as proposed to the committee.** Representatives Carlson, Berg, and Delzer and Senators Christmann, Cook, Nelson, and O'Connell voted "aye." No negative votes were cast.

## LEGISLATIVE INFORMATION SERVICES

### Legislative Document Subscription Program

The assistant director reviewed a memorandum entitled [Legislative Document Subscription Program](#). The memorandum reviews subscription fees for legislative documents during the 2007 legislative session and the cost of printing those documents. The memorandum also lists proposed fees for the 2009 legislative session. He said the practice has been to base subscription fees on the cost of printing the various documents during the previous session divided by the number of documents printed. The number of subscribers for the particular documents for 2007, the total number of subscribers (state agencies can receive the documents without charge), the 2007 subscription fees, comparative figures for the 2005 legislative session, and the cost of the number of legislative documents printed in 2007 are:

- Nine out of 17 (versus 11 out of 98 in 2005) entities paid \$160 (versus \$150) each to pick up a set of bills and resolutions, and no entity paid \$270 (versus \$260 in 2005) to receive a set by mail. Twenty-five out of 56 (versus 37 out of 69 in 2005) entities paid \$290 (versus \$280 in 2005) each to pick up a set of bills and resolutions which included engrossed bills and resolutions, one state agency received a set by mail, and no one paid \$465 (versus 2 that paid \$465 in 2005) to receive a set by mail. The cost of printing 250 copies of introduced bills and resolutions and 250 copies of engrossed bills and resolutions was \$63,831.25, or approximately \$256 per set (versus \$79,668.95 to print 325 copies of introduced bills and resolutions and 200 copies of engrossed bills and resolutions in 2005).

- Seventeen out of 36 (versus 18 out of 48 in 2005) entities paid \$90 (versus \$70 in 2005) each to pick up a set of journals, one state agency received a set by mail, and no one paid \$200 (versus 1 that paid \$190 in 2005) to receive a set by mail. The cost of printing 250 copies of the journals and providing pressboard covers was \$22,206.25, or approximately \$89 per set (versus \$67,805 to print 750 copies of the journals in 2005).
- Seven out of 16 (versus 12 out of 12 in 2005) entities paid \$30 each to receive the journal index. The cost of printing 227 copies of the journal index was \$5,072, or approximately \$23 per index (versus \$5,150 for 227 copies of the index in 2005).
- One entity (versus five entities in 2005) paid \$350 to pick up the bill status report, four copies were provided to three state agencies, and no one (versus one entity in 2005) paid \$460 to receive it by mail. The cost of printing 33 bill status reports was \$11,226.35, or approximately \$341 each (versus \$9,904.78 to print 29 bill status reports in 2005).
- No charge was made for picking up daily calendars printed at a cost of \$32,246.78 (versus \$32,720.32 in 2005), 30 entities (versus 19 in 2005) subscribed to pick up daily calendars, and no one (versus 1 entity in 2005) paid \$55 to receive the calendars by mail.
- No charge was made for picking up committee hearing schedules printed at a cost of \$7,085.11 (versus \$9,025.50 in 2005), 50 entities (versus 20 in 2005) subscribed to pick up hearing schedules, and no one (versus 1 entity in 2005) paid \$30 to receive the schedules by mail.

The assistant director said the proposed 2009 legislative document subscription fees reflect the cost of printing the documents in 2007 divided by the number of documents. Generally, he said, the cost of subscribing for a set of introduced bills is reduced by \$10; the cost of subscribing for a complete set of bills and resolutions, including engrossed and reengrossed bills and resolutions, is reduced by \$30; and the cost for mailing the documents was increased by 28 percent across the board to reflect to the fact that the fee for mailing legislative documents has not been changed since 1995, even though the price of first-class mail has increased by 28 percent.

**It was moved by Senator Cook, seconded by Senator Christmann, and carried on a roll call vote that the committee approve the 2009 distribution program and the applicable fees as follows:**

- **A complete set of bills and resolutions as introduced and printed or reprinted be available from the bill and journal room only after payment of a subscription fee of \$150, with a set to be mailed upon payment of an additional fee of \$140.**

- A complete set of bills and resolutions as introduced and printed or reprinted, including a set of all engrossed and reengrossed bills and resolutions, be available from the bill and journal room only after payment of a subscription fee of \$260, with a set to be mailed only after a payment of an additional fee of \$225.
- A complete set of daily journals of the Senate and House be available from the bill and journal room only after payment of a subscription fee of \$90, with a set to be mailed only after payment of an additional fee of \$140.
- The index to the House and Senate journals be available only after payment of a subscription fee of \$30.
- A printed bill status report be available from the bill and journal room only after payment of a subscription fee of \$350, with the report to be mailed only after payment of an additional fee of \$140.
- House and Senate daily calendars and weekly committee hearing schedules be available at no charge if picked up from the bill and journal room, but a set of House and Senate daily calendars be mailed by the bill and journal room only after payment of a fee of \$70 and a set of weekly committee schedules be mailed by the bill and journal room only after payment of a fee of \$40.
- State agencies and institutions and representatives of the media as determined under Joint Rule 802 be able to obtain copies of bills and resolutions, daily journals, daily calendars, and committee hearing schedules without payment of subscription fees.
- Two copies of the bill status report be provided to the press room in the State Capitol without payment of subscription fees.
- No more than five copies of a limited number of bills and resolutions be obtained without charge as provided by Joint Rule 603.

Representatives Carlson and Delzer and Senators Christmann, Cook, Nelson, and O'Connell voted "aye." No negative votes were cast.

## LEGISLATIVE RULES

### Bill Introduction and Crossover

The assistant director reviewed a memorandum entitled *2009 Legislative Deadlines* dated May 23, 2007. He said the deadlines were prepared after the 2007 legislative session because inquiries were being made with respect to the scheduling of activities during the 2009 legislative session. He said a question with respect to the deadlines relates to the bill draft introduction and crossover deadlines. He

said the bill introduction deadlines were revised during the 2007 legislative session in recognition of the fact that the session convened on a Wednesday rather than a Tuesday. If Monday deadlines are to be retained, he said, a legislative rules amendment needs to be approved to return those deadlines to the 5<sup>th</sup>, 10<sup>th</sup>, and 15<sup>th</sup> legislative days rather than maintain them at the 4<sup>th</sup>, 9<sup>th</sup>, and 14<sup>th</sup> legislative days. He said a similar change should be made with respect to crossover, which also was changed due to convening on Wednesday in the 2007 legislative session. To maintain the deadline on a Friday, he said, crossover should be changed from the 33<sup>rd</sup> legislative day to the 34<sup>th</sup> legislative day, which would be Friday, February 20, 2009.

Senator Christmann said it is important that crossover be maintained on a Friday even though workload management may have resulted in meeting crossover on Thursdays during recent legislative sessions. He said it is important legislators do not expect to begin the crossover recess before the close of business on Friday.

It was moved by Representative Delzer, seconded by Senator Cook, and carried on a roll call vote that the committee approve the [proposed amendments](#) to House and Senate Rules 402(1) and Joint Rule 203(1) relating to bill introduction deadlines and crossover. Representatives Carlson and Delzer and Senators Christmann, Cook, Nelson, and O'Connell voted "aye." No negative votes were cast. (The revised [2009 Legislative Deadlines](#), reflecting the rules amendments, are available on the legislative branch web page under 61<sup>st</sup> (2009) Legislative Assembly.)

## LEGISLATIVE SPACE

### Committee Room Modifications

The assistant director reviewed the proposed rearrangements of the Red River, the Sakakawea, Lewis and Clark, and Missouri River Rooms. Copies of the plans as prepared by Mr. Joel Leapaldt, Facility Management Division, are attached as [Appendix D](#).

#### Red River Room

The Red River Room consists of 560 square feet. The current arrangement provides for seven individuals seated at a T-shaped committee table and 20 audience chairs. One option provides for an arc-shaped table seating seven facing the east and 32 audience chairs arranged in three rows along the east wall facing the committee table. Two options recognize reduction of the committee room to 425 square feet to allow for a fire exitway along the west wall. Each of these two options provide for an arc-shaped table along the west wall and 23 audience chairs arranged in two rows along the east wall facing the committee table.

#### Sakakawea Room

The Sakakawea Room consists of 680 square feet. The current arrangement provides for 11 individuals

seated at a T-shaped committee table and 20 audience chairs. The proposed arrangement recognizes a fire exitway along the west wall and provides for a 580-square-foot room, a reduced size committee table allowing for the seating of 11 individuals, and 26 audience chairs arranged in three rows along the north wall.

### **Lewis and Clark Room**

The Lewis and Clark Room consists of 615 square feet. The current arrangement provides for eight individuals seated at a T-shaped table and 24 audience chairs along the east, north, and west walls. The proposed arrangement provides for an arc-shaped table along the east wall seating eight facing the west and 26 audience chairs in two rows along the west wall and one row along the north wall.

### **Missouri River Room**

The Missouri River Room consists of 580 square feet. The existing arrangement provides for seven individuals seated at a T-shaped table and 16 audience chairs along the north and south walls. The proposed arrangement provides for eliminating the table at the head of the T-shape and use the existing conference table to provide seating for seven and 22 audience chairs arranged in three rows along the west wall and one row along the north wall.

The assistant director said the proposed rearrangements are intended to remove audience members from behind committee members either by locating all audience members in multiple rows on one end of the room or rearranging tables.

### **Capitol Tower Stairway Fire Exits**

Chairman Carlson recognized Ms. Pam Sharp, Director, Office of Management and Budget. Ms. Sharp said Mr. Al Fitterer, Al Fitterer Architect PC, developed two more options for fire exits from the north stairwell. Mr. Fitterer distributed cost estimates of four fire exit routes, a copy of which is attached as [Appendix E](#).

Mr. Leapaldt reviewed plans presented to the committee at its January meeting concerning fire exits from the stairways in the Capitol tower. He said the proposal presented to the committee in October was for an exitway from the north stairway through the Red River Room and from the south stairway through the Sakakawea Room. As a result of comments by committee members, he said, Mr. Fitterer prepared alternative plans for fire exits. He said the estimated cost of the proposal presented to the committee in October was \$524,552.

Mr. Leapaldt said an alternative presented to the committee in October with respect to the Red River Room was to exit along the south side of the room and then out of the mailroom doorway, which required substantial utility relocation. He said the estimate for this route is \$638,626.

Mr. Leapaldt said two alternative plans prepared for this meeting include continuing the south exit

through the Sakakawea Room but providing for the north exit through use of the elevator lobby. He said both alternatives would require installation of fireproof glass partitions just east of the elevator doors which would allow pressurization of the area from the north stairway exit to the north exit by the mailroom. He said the difference between the alternatives is the addition of additional air-moving units to assist pressurization, and the estimated cost of the alternatives ranges from \$765,657 to \$809,930.

In response to a question from Representative Delzer, Mr. Leapaldt said room capacity requirements with respect to fire safety depends on the use of the room. He said 100 square feet per person is required in office space, while 15 square feet per person is required for an audience type layout. He said if the room is below 750 square feet in area, the room can have up to a 50-person occupancy.

With respect to the Red River Room, Senator Cook said the vast majority of time in committee is spent discussing proposals rather than receiving testimony. He said he prefers a T-shaped committee table so the chairman can easily see everyone on the committee. He said an arc-shaped table requires the chairman to scan both sides to determine if a member is seeking recognition. He said he prefers the current arrangement of the Red River Room.

Senator Nelson said she likes the proposed arrangement of the Lewis and Clark Room because the current arrangement results in the audience surrounding committee members during a crowded hearing.

Senator Cook said any arrangement of a Senate committee room should provide for seating for eight at the table, i.e., at least seven committee members and a committee clerk. He said committee tables in many of the rooms are too large for what is needed.

Senator Christmann said committee structure could change and that could result in larger committees in some areas. He said he would prefer tables to seat as many members as possible to allow flexibility. He said audience chairs as currently configured do show additional audience members but many times the chairs are too close together to accommodate side-by-side seating. He said it may be more realistic to provide for more space between audience members even though room capacity is lowered.

In response to a question from Representative Delzer, Mr. Leapaldt said both stairways in the Capitol tower cannot exit into the elevator lobby under Fire Safety Code because both should not exit into the same atmosphere.

In response to a question from Representative Carlson, Mr. Leapaldt said a configuration of the fire exitway from the south stairway directly through the Governor's office space would place offices on the opposite side of the fire exitway.

In response to a question from Representative Delzer, Mr. John Boyle, Director, Facility Management Division, said \$600,000 was appropriated for the

project. Mr. Fitterer said if a decision is made within six weeks, the project should be completed before the Legislative Assembly convenes in January 2009.

Senator Christmann inquired about the feasibility of completing the north side of the project this interim. Representative Carlson said he also favors doing the north side first by using the existing corridor. However, splitting the project into two probably would result in increased costs.

Senator Cook said he prefers a decision now so the work can be completed before the 2009 legislative session.

Chairman Carlson said this issue would be revisited. No further business appearing, Chairman Carlson adjourned the meeting at 5:05 p.m.

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Jay E. Buringrud  
Assistant Director

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Jim W. Smith  
Director

ATTACH:5