

NORTH DAKOTA LEGISLATIVE COUNCIL

Minutes of the

LEGISLATIVE MANAGEMENT COMMITTEE

Tuesday, March 18, 2008
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, Jeff Delzer, David Monson; Senators Randel Christmann, Dwight Cook, Carolyn Nelson, David O'Connell, Bob Stenehjem

Member absent: Representative Kenton Onstad

Others present: Representative Shirley Meyer, member of the Legislative Council, Dickinson

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

It was moved by Senator Stenehjem, seconded by Senator O'Connell, and carried on a voice vote to approve the minutes of the October 29, 2007, and January 29, 2008, meetings of the committee.

SESSION ARRANGEMENTS

Doctor of the Day Program - Legislator Wellness Program

The assistant director reported that he contacted Mr. David Peske, Director of Governmental Relations, North Dakota Medical Association, and inquired whether the Medical Association would provide physician services to legislators during the 2009 legislative session.

Chairman Carlson recognized Mr. Peske. Mr. Peske distributed prepared testimony ([Appendix B](#)) offering continuation of the North Dakota Medical Association of the doctor of the day program for legislators during the 2009 legislative session. He said the Medical Association will rely on physicians and residents from around the state to volunteer for the program and provide basic health care examinations or services when requested by legislators. He said the association appreciates the offer to continue providing for the association's use of the medical services room and other accommodations for physician participants.

Mr. Peske said the North Dakota Medical Association is planning to provide expanded opportunities for legislators to participate in individual health screenings and other educational and wellness activities during the 2009 legislative session. He said the association is working with medical personnel at the Altru Health System in Grand Forks for a personal wellness assessment program for legislators and the Legislative Council staff during the scheduled health fair in mid-January 2009. He said the intent is that this individualized evaluation program will meet insurance plan criteria for the employer-based

wellness program provided under North Dakota Century Code (NDCC) Section 54-52.1-14.

It was moved by Senator Nelson, seconded by Representative Boucher, and carried on a voice vote to accept the offer of the North Dakota Medical Association to continue the doctor of the day program during the 2009 legislative session under the same arrangements as in the past.

It was moved by Senator Stenehjem, seconded by Senator O'Connell, and carried on a roll call vote that the committee accept the offer of the North Dakota Medical Association and Altru Health System to provide individual health screenings and other educational and wellness activities during the 2009 legislative session and that this program be the employer-based wellness program for July 1, 2008, through June 30, 2009, as provided under NDCC Section 54-52.1-14. Representatives Carlson, Berg, Boucher, Delzer, and Nelson and Senators Christmann, Cook, Nelson, O'Connell, and Stenehjem voted "aye." No negative votes were cast.

USE OF LEGISLATIVE CHAMBERS

The assistant director noted the [Guidelines for Use of Legislative Chambers and Displays in Memorial Hall, North Dakota State Capitol](#). He reviewed a request by the North Dakota Leadership Seminar to use the House chamber on May 31, 2008. He said the North Dakota Leadership Seminar has been approved for use of the legislative chambers in the past. He said the leadership seminar is a nonprofit organization offering three-day leadership development seminars for high school sophomores throughout North Dakota. He said the seminar will be held on the campus of the University of Mary on May 30-June 1, 2008.

Representative Monson said he has had students attend the seminar, and they have reported that it is an excellent program.

It was moved by Senator Nelson, seconded by Representative Monson, and carried on a roll call vote that the committee approve use of the House chamber on May 31, 2008, for the North Dakota Leadership Seminar. Representatives Carlson, Berg, Boucher, Delzer, and Monson and Senators Christmann, Cook, Nelson, O'Connell, and Stenehjem voted "aye." No negative votes were cast.

LEGISLATORS' NOTEBOOK COMPUTERS

Chairman Carlson reported that he had appointed a Legislator Computer Replacement Task Force consisting of Representatives Bob Martinson (Chairman), Pam Gulleeson, Lee Kaldor, Jim Kasper, Bob Skarphol, and Blair Thoreson and Senators Ray Holmberg, Larry J. Robinson, Tom Seymour, and Rich Wardner 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. He said the assistant director would present the task force recommendation concerning notebook computers by legislators.

The assistant director said that the Legislator Computer Replacement Task Force met January 28, 2008, and received background information on the evolution of use of personal computers by legislators, the policy on legislator use of personal computers recommended by the Legislative Management Committee and approved by the Legislative Council, and information from representatives of the Information Technology Department on use of smartphones, notebook computers, and tablet computers. As a result of that meeting, he said, the task force determined that notebook computers should be the type of computers provided to legislators and the minimum requirement for the notebook computers were determined to be:

- Intel Core 2 Duo T7500 (2.2 gigahertz) processor.
- Windows Vista Business 32-bit operating system.
- 2-gigabytes (2 x 1 gigabytes) memory; and an alternate proposal for 4-gigabytes (2 x 2 gigabytes) memory.
- 160-gigabytes disk space.
- DVD+/-RW drive.
- USB 2.0 (4 ports).
- At least 256 megabytes of discrete video memory.
- Wireless 802.11a/b/g/n.
- Bluetooth enabled.
- Camera.
- 15.4-inch screen; and an alternate proposal for a 17-inch screen.
- Dual pointing devices - Touchpad and pointstick.
- An alternate proposal for a docking station for each notebook computer.

The assistant director said the task force met on February 27, 2008, and received proposals from five vendors. He said the proposals provided for two options--either a 15.4-inch screen or a 17-inch screen and either two gigabytes (GB) memory or four GB memory.

The assistant director described the vendors and their proposals:

- Dell Marketing proposed either the Dell Latitude D830 or the Dell Precision M6300 notebook computer at prices ranging from \$1,081.95 to \$1,382.31.
- Fireside Office Solutions proposed either the HP 6710b, the HP 8510p, or the HP 8710p notebook computer at prices ranging from \$1,043.41 to \$1,268.40.
- DakTech proposed the PlaidBook SR31V or the SR41V notebook computer at prices ranging from \$1,299 to \$1,720.
- High Plains Technology proposed Lenevo notebook computers.
- Best Buy for Business proposed the HP 8510p notebook computer at prices ranging from \$1,340 to \$1,409.

The assistant director said as a result of the proposals received from the vendors, the task force determined that the notebook computers should provide for 17-inch screens, 4 GB memory, a 7200 RPM hard drive speed, and a 802.11 a/b/g/n wireless standard and cameras were not necessary. He said three notebook computers with these requirements were Dell Marketing's Dell Precision M6300 at \$1,382.31; Fireside Office Solutions' HP 8710p at \$1,352; and DakTech's PlaidBook SR41V at \$1,749. He said the task force recommends the HP 8710p notebook computer as proposed by Fireside Office Solutions.

In response to a question from Representative Delzer, Ms. Linda Keys, Fireside Office Solutions, Bismarck, said the HP 8710p has a three-year parts and labor warranty. She said the type of support provided by Fireside would depend on arrangements with the Legislative Council staff. She said the Legislative Council staff prefers that the staff first work with computer problems to determine if the problem is software-related or hardware-related. She said the Legislative Council staff prefers to work with software issues and prefers that Fireside work with hardware issues. She said hardware support is also provided by various Hewlett Packard distributors throughout the state.

In response to a question from Senator Christmann, Ms. Keys said HP notebook computers are marketed as having quiet keyboards.

In response to a question from Representative Delzer, the assistant director said the number of notebook computers recommended for purchase by the task force is 177. He said this number provides for:

- 141 notebooks for legislators.
- 5 notebooks as backup notebooks for legislators.
- 5 notebooks for use by leadership, e.g., to allow one notebook in a leader's office and one notebook on the floor.
- 10 notebooks for desk force personnel, i.e., five per desk force.
- 12 notebooks for legislative interns.

- 2 notebooks for assistants to the majority leaders.
- 2 notebooks for use in the page rooms, e.g., pages use the computers to print and cut amendments to place in the bill racks.

In response to a question from Chairman Carlson, Mr. Jim W. Smith, Director, said the specific appropriation for legislator computer replacement was \$300,294 and the cost of the 177 computers is approximately \$239,000.

In response to a question from Representative Delzer, Ms. Maryann F. Trauger, Manager, Information Technology Services, Legislative Council, said the notebook computers would come with the Windows Vista Business operating system preinstalled as well as Windows Internet Explorer. She said Microsoft Office 2007 would need to be installed as would protection against spyware and the VPN client necessary for legislators to obtain access to the state network from remote locations. She said the cost of Office 2007 would be an additional cost, as yet unknown due to the existing licenses for Office 2003 installed on the current notebook computers of legislators.

Representative Carlson inquired whether the current carrying cases would be adequate for the larger HP 8710p notebooks. Representative Monson tried to fit the HP 8710p notebook brought by Ms. Keys to the meeting into the carrying case he used for the current notebook, and the HP 8710p would not fit into the carrying case.

It was noted that computers with the Windows Vista Business operating system may need to be restricted under the personal use option because of the potential problems caused by indiscriminant downloading of items that may affect the legislative applications. Senator Cook inquired as to the disposition of the notebook computers currently used by legislators.

Senator Stenehjem said legislators should be able to download software such as Real Audio. He said means also should be available for legislators to use the printers they use with their current notebook computers.

The assistant director said an option could be for the current computers to be retained by the Legislative Assembly for continued use by legislators with their printers and software.

In response to a question concerning the application of the surplus property law, the assistant director said NDCC Section 54-44-04.6 governs the disposition of surplus property and would apply to the disposition of the current notebook computers. He said Section 54-44-04.6(3) provides that surplus property must be transferred at fair market value to state agencies, political subdivisions, and certain nonprofit organizations. He said Section 54-44-04.6(4) provides if property valued at less than \$3,000 is not disposed of under subsection 3, then the property is to be disposed of by sale by sealed bids, public auction, or negotiation at fair market value. He

said this appears to allow for disposition of the old notebook computers to legislators at fair market value and suggested that the Surplus Property Division determine the fair market value of the computers.

Representative Delzer said the software currently loaded on the old computers should be left on the old computers if they are purchased by legislators. The assistant director said the Office 2003 software may need to be removed from the computer if the license for that software is necessary for obtaining Office 2007 for the new computers.

In response to a question from Representative Carlson, Ms. Trauger said the replacement cycle for notebook computers is four years. Representative Carlson said he understands the current computers were not replaced under a four-year cycle because of the delay in the approval of the legislative applications project but suggested that in the future the legislative budget should allow a four-year replacement cycle.

It was moved by Representative Monson, seconded by Representative Boucher, and carried on a roll call vote that the committee authorize the purchase of 177 HP 8710p notebook computers as proposed by Fireside Office Solutions and recommended by the Legislator Computer Replacement Task Force. Discussion centered on the purchase of carrying cases for the computers and whether the committee should meet to select the carrying case. The consensus of the committee members was for the Legislative Council staff to select the carrying cases for the computers. After this discussion, **the motion carried on a roll call vote.** Representatives Carlson, Berg, Boucher, Delzer, and Monson and Senators Christmann, Cook, Nelson, O'Connell, and Stenehjem voted "aye." No negative votes were cast.

LEGISLATIVE SPACE

Capitol Tower Stairway Fire Exits

Representative Carlson said he had met with Ms. Pam Sharp, Office of Management and Budget, and Mr. Joel Leapaldt, Facility Management, concerning alternatives they proposed for the south and north stairwell fire exits from the Capitol tower. He said an alternative to taking space from the Sakakawea Room was to take space from the Governor's office area with respect to the south stairwell fire exit. He said an alternative to taking space from the Red River Room was to provide for alternative committee room space in the press room on the ground floor and use of the "storage areas" on the east and west sides of the Senate balcony. The assistant director said the press room (on the east side of the semicircle of committee rooms) is smaller than the Roosevelt Park Room (the equivalent location on the west side of the semicircle of committee rooms) because of wiring closets; and the east "storage area" is the Senate committee clerk area during a legislative session, and the west "storage area" is where the secretarial and telephone

message services are located during a legislative session.

House Chamber Rail

Representative Delzer said he asked the Legislative Council staff to obtain an estimate for cutting an opening in the brass rail in the first section on the west side of the House chamber. The estimate to cut one opening on the west side and one opening on the east side of the House chamber to balance the opening on the west side was \$5,750. He said he was bringing this to the committee's attention to determine whether there is support for cutting the brass rails in the House chamber. He said he would like this issue discussed at the next meeting of the committee.

Committee Room Tables

The assistant director said no additional committee tables have been ordered for Senate committee rooms or House committee rooms. He said the

thought is to wait until the crescent-shaped table for the Great Plains/Medora Room is installed so committee members could determine whether that is the type of table to place in the rooms that could be rearranged so that the committee members would face the audience. He said that table should be installed by June.

No further business appearing, Chairman Carlson adjourned the meeting at 2:20 p.m.

Jay E. Buringrud
Assistant Director

Jim W. Smith
Director

ATTACH:2