

NORTH DAKOTA LEGISLATIVE COUNCIL

Minutes of the

LEGISLATIVE MANAGEMENT COMMITTEE

Wednesday, November 12, 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, Jeff Delzer, Kenton Onstad; Senators Randel Christmann, Dwight Cook, Carolyn Nelson, David O'Connell, Bob Stenehjem

Members absent: Representatives Merle Boucher, David Monson

Others present: See attached [appendix](#)

It was moved by Senator Stenehjem, seconded by Senator O'Connell, and carried on a voice vote to approve the minutes of the September 24, 2008, meeting of the committee.

SESSION ARRANGEMENTS

Legislator Stationery

At the request of Chairman Carlson, the assistant director reviewed a compilation of four bids received for legislator stationery--Image Printing, Quality Printing, Richtman's Printing, and The Printers, Inc. He said Image Printing was the lowest bidder.

It was moved by Senator O'Connell, seconded by Senator Cook, and carried on a roll call vote that the committee accept the bid of Image Printing for legislator stationery. Representatives Carlson, Berg, Delzer, and Onstad and Senators Christmann, Cook, Nelson, O'Connell, and Stenehjem voted "aye." No negative votes were cast.

Session Employee Positions and Compensation

At the request of Chairman Carlson, the assistant director reviewed a memorandum entitled [Legislative Assembly Employee Positions and Compensation](#). The director said the memorandum was presented to the committee in June 2008. The memorandum reviews the employee positions during the 2003, 2005, and 2007 legislative sessions and reviews a proposed number of employee positions for the 2009 legislative session.

The assistant director said the number of employment positions proposed for the 2009 legislative session--36.5 Senate employees and 42.5 House employees--recognizes:

- The four staff assistants authorized for the majority leaders and the four staff assistants authorized for the minority leaders, even though the leaders have employed fewer than the number authorized.

- House employment of the payroll clerk in recognition of alternating that position between the houses.
- Continued Senate employment of the supply coordinator.
- Continued House employment of two half-time assistant sergeant-at-arms (which was done in 2007).
- Continued employment of a parking attendant by each house (which was done in 2005 and 2007).
- Employment of an additional half-time assistant sergeant-at-arms by the Senate and by the House for purposes of operating the video camera during floor sessions.
- Employment of one information kiosk attendant by the Senate and one attendant by the House, rather than continuing to alternate between the houses and the House employing a half-time attendant, for the purposes of answering calls to the Legislative Assembly and taking telephone messages.

The assistant director said the video cameras were operated during the 2007 legislative session first by contract employees through Spherion, but when the hours became irregular and those employees found other, more consistent work, the cameras were operated by the tour guide of the Legislative Council in addition to her other responsibilities. He said a more practical approach would be for each house to employ a half-time assistant sergeant-at-arms to operate the video camera because the houses would know when the sessions would convene each day, and for "short-day" sessions the assistant sergeant-at-arms could be assigned other responsibilities.

The assistant director reviewed a memorandum entitled [Legislative Assembly Employee Compensation - Inflation, State Employee Salary, and State Average Wage Increases Since 1999](#). The memorandum provides tabular information on the inflation rate, on salary increases provided to state employees, and on first-quarter state average weekly/daily wages. The memorandum also depicts in tabular format the 1999 daily rate for session employee positions, a daily rate adjusted for inflation 1999 through 2008, a daily rate adjusted for state employee salary increases 1999 through 2008, a daily rate adjusted for state average weekly wage increases 1999 through 2008, and a daily rate based on the 2007 daily rate adjusted for state employee

salary increases 2007-08. For example, a three-day committee clerk received \$90 per day in 1999, adjusted for inflation through 2008 would receive \$119 in 2009, adjusted for state employee salary increases through 2008 would receive \$116 in 2009, adjusted for state average weekly wage increases through 2008 would receive \$129 in 2009, and if the 2007 daily rate were adjusted for state employee salary increases in 2007-08 would receive \$123 in 2009. The assistant director reviewed a concurrent resolution draft [\[93005.0200\]](#) that proposed daily compensation rates based on rates reflecting increases in the state's average weekly wage since 1999. Because several positions received skills adjustment increases in addition to the across-the-board increases since 1999, he said, the daily rates adjusted for state average weekly wage increases will experience increases from 11.8 percent to 15.6 percent from 2007 levels.

Senator Stenehjem said it is difficult to find qualified employees at the current daily rates.

In response to a question from Senator O'Connell, the assistant director said the concurrent resolution draft identifies the compensation levels for the positions but not the number of employees. He said the number of employees is determined by the Employment Committees of each house, after receiving the recommendations of the Legislative Management Committee. He said the exact number of employment positions is included in the report of each Employment Committee.

It was moved by Representative Berg, seconded by Senator Stenehjem, and carried on a roll call vote that the committee recommend employment positions as proposed for the 2009 legislative session--36.5 Senate employee positions and 42.5 House employee positions and the compensation levels as contained in the concurrent resolution draft. Representatives Carlson, Berg, Delzer, and Onstad and Senators Christmann, Cook, Nelson, O'Connell, and Stenehjem voted "aye." No negative votes were cast.

LEGISLATORS' COMPUTERS

The assistant director said as the legislators' IBM ThinkPad A22m notebook-style computers have been replaced with the HP 8710p notebook-style computers, legislators were allowed to retain the IBM computers because of the different operating systems--Windows 2000 versus Windows Vista. He said the primary reason was that legislators had personal software installed on the IBM computers which may not have been compatible with Windows Vista. In addition, he said, the printer drivers for printers used by legislators may not have been compatible with Windows Vista.

The assistant director said all but approximately 22 legislators have retained the IBM computers to date. He said the main issue that has arisen concerns providing support for the IBM computers in addition to the HP computers. As legislators received the

HP computers, he said, the connectivity to the state's system--the Virtual Private Networking (VPN) client--and the antivirus software was removed from the IBM computers to avoid issues of two computers having connectivity to the same userid as well as to transfer the antivirus software license to the new computer. He said the IBM computers become infected with viruses and other malware which requires extensive staff time to repair.

The assistant director said a number of legislators have indicated that they will be bringing both computers to Bismarck during the legislative session, with the HP computer on the floor and the IBM computer at their residence. He said this would double the number of computers for which support must be provided.

Senator Cook said the old IBM computers should be returned by December 1, when new terms of office begin. Representative Delzer suggested legislators who are ending their terms of service should return the computers by December 1, and legislators continuing in office should return the IBM computers by January 6, 2009.

It was moved by Senator Nelson, seconded by Senator Cook, and carried on a roll call vote that the IBM ThinkPad A22m notebook-style computers be returned to the Legislative Council office by the adjournment of the organizational session--December 3, 2008. Representatives Carlson, Berg, Delzer, and Onstad and Senators Christmann, Cook, Nelson, O'Connell, and Stenehjem voted "aye." No negative votes were cast.

ADMINISTRATIVE MATTERS

The director introduced Mr. Jason J. Steckler, Information Technology Director, Legislative Council, who filled a new position on the Legislative Council staff effective November 3, 2008. Members welcomed him to the Legislative Council staff.

It was moved by Senator Stenehjem, seconded by Senator O'Connell, and carried on a voice vote that the chairman and the staff of the Legislative Council be requested to prepare a report and the concurrent resolution draft recommended by the committee and to present the report and the concurrent resolution draft to the Legislative Council, and that the meeting be adjourned sine die. No further business appearing, Chairman Carlson adjourned the meeting sine die at 2:00 p.m.

Jay E. Buringrud
Assistant Director

Jim W. Smith
Director

ATTACH:1