

# NORTH DAKOTA LEGISLATIVE MANAGEMENT

## Minutes of the

### LEGISLATIVE PROCEDURE AND ARRANGEMENTS COMMITTEE

Wednesday, March 10, 2010  
Harvest Room, State Capitol  
Bismarck, North Dakota

Representative Al Carlson, Chairman, called the meeting to order at 1:30 p.m.

**Members present:** Representatives Al Carlson, Merle Boucher, David Monson, Kenton Onstad, Don Vigesaa; Senators Jerry Klein, Carolyn Nelson, David O'Connell, Bob Stenehjem

**Member absent:** Senator Randel Christmann

**Others present:** Karen J. Mund, Jason J. Steckler; Legislative Council

Jeff Delzer, State Representative, Underwood

Royce Schultze, Dakota Center for Independent Living, Bismarck

Rebecca Beitsch, *The Bismarck Tribune*, Bismarck

**It was moved by Senator O'Connell, seconded by Senator Nelson, and carried on a voice vote that the minutes of the December 14, 2009, meeting be approved as distributed.**

#### LEGISLATIVE WING RENOVATION

##### Status Update

The director reviewed a table entitled *Legislative Wing Improvements Status* ([Appendix A](#)). He said after the Harvest and Roughrider Rooms are renovated, a proposal will be made as to the types of screens and display monitors to be placed in each room. He said approximately 40 percent of the legislative renovation appropriation has been spent to date. He said Mr. Jason J. Steckler, Information Technology Director, Legislative Council, will provide a presentation on the proposed Pioneer Room sound system, display monitors near the elevators, and display monitors on the information kiosk.

Mr. Steckler provided a PowerPoint presentation ([Appendix B](#)). He said the proposed Pioneer Room sound system is a Bosch conferencing system similar to the portable systems used in legislative committee rooms during the 2009 legislative session. He said the estimated cost is \$8,622.50. He proposed four monitors on the information kiosk. He said the monitors would be stacked two by two in place of the existing monitors on the west side of the kiosk. He said the estimated cost for the four monitors is \$16,710. He said the monitors would display House committee schedules, Senate committee schedules, House calendars, and Senate calendars.

In response to a question from Representative Carlson, Mr. Steckler said two monitors could display the legislative calendars during floor sessions and

then display committee hearing schedules after floor sessions, but that would require manual switching.

Mr. Steckler said the location of the information monitors on the ground floor was reviewed by the Capitol Grounds Planning Commission. He said a suggested alternative location is on the two columns inside the south entryway. Although monitors could be placed on the north side and south side of the two columns so people entering from the south or north entryway would see the displays on the monitors, he said, the technicians suggested monitors be placed on the north side because of the lower ceiling on the south side of the columns. He said an alternative to placing the monitors on the columns is a ceiling-mounted system containing four monitors located between the north and south entryways. He said the cost to replace the two existing monitors near the elevators is \$4,185. He said the cost to install four monitors from a ceiling-mounted system between the north and south entryways is \$8,455.

In response to a question from Senator Stenehjem, Mr. Steckler said the four monitors could display House committee schedules, Senate committee schedules, House calendars, and Senate calendars. Senator Stenehjem said if the monitors are placed on the pillars, they would attract crowds in the entryway. He suggested consideration of placing the four monitors from a ceiling mount to the west of the north and south entryways.

**It was moved by Senator O'Connell, seconded by Representative Monson, and carried on a roll call vote that the committee authorize acquisition of a Bosch sound system for the Pioneer Room, placement of four monitors on the information kiosk as proposed, and installation of four display monitors from a ceiling mount in the center of the ground floor hallway.** Representatives Carlson, Boucher, Monson, Onstad, and Vigesaa and Senators Klein, Nelson, and O'Connell voted "aye." Senator Stenehjem voted "nay."

Chairman Carlson recessed the meeting for a tour of the areas under discussion and consideration for legislative renovation projects. During the tour, comments included:

1. With respect to the ceiling-mounted monitors, a preferred location would be just to the west of the north and south entryways.
2. With respect to the ground floor legislative study, remove the telephone carrels; provide three carrels--two for telephones and one for a

network connection; add a conference table that could seat six to eight people; and provide proposals for replacing the furniture.

3. With respect to the first floor legislative study, remove all the telephone carrels, provide one telephone in the study, and include a small table in the study around which could be seated four people.
4. With respect to the brass rail in the House chamber, any decision on cutting the rail between the first and second columns or the third and fourth columns from the north wall to allow access to and from the back row will be considered at the next meeting of the committee.

Chairman Carlson reconvened the meeting after the tour.

Chairman Carlson requested the Legislative Council staff obtain information on renovation of the legislative studies as suggested during the tour.

## LEGISLATIVE SESSION ARRANGEMENTS

### Doctor of the Day Program

The assistant director referred to a letter from Mr. Bruce Levi, Executive Director, North Dakota Medical Association, regarding continuation of the North Dakota Medical Association doctor of the day program during the 2011 legislative session. The letter also notes plans to provide opportunities as in past sessions for legislators to participate in health screenings and other educational and wellness activities during the session.

**It was moved by Senator Stenehjem, seconded by Representative Vigesaa, and carried on a roll call vote to accept the offer of the North Dakota Medical Association to continue the doctor of the day program during the 2011 legislative session.** Representatives Carlson, Boucher, Monson, Onstad, and Vigesaa and Senators Klein, O'Connell, and Stenehjem voted "aye." No negative votes were cast.

### Legislative Assembly Wellness Program

Chairman Carlson recognized Ms. Karen J. Mund, Legislative Administrator, Legislative Council. Ms. Mund said she is the wellness coordinator for the Legislative Council and the Legislative Assembly. She said a wellness program needs to be selected for legislators during this biennium so as to continue to receive the health insurance discount. She said the 2009 wellness program for legislators was a comprehensive health assessment provided during the session through the doctor of the day program. She recommended continuation of this health assessment as planned by the North Dakota Medical Association.

**It was moved by Representative Monson, seconded by Senator Klein, and carried on a roll call vote that the health risk assessment be approved as the Legislative Assembly wellness**

**program.** Representatives Carlson, Boucher, Monson, Onstad, and Vigesaa and Senators Klein, O'Connell, and Stenehjem voted "aye." No negative votes were cast.

### Standing Committee Minutes

Representative Onstad inquired as to the review of the quality of standing committee minutes. The assistant director said standing committee clerks are given training sessions before the legislative session convenes, and all committee clerks receive the same instructions with respect to the taking of minutes. He said committee clerks are not court reporters and transcripts are not made of committee hearings. He said committee clerks work under extreme time constraints during the legislative session due to responsibilities for setting up committee rooms, making sure legislators have materials for committee hearings, taking minutes during the hearings, preparing amendments, and preparing committee reports. He said the emphasis on training with respect to minutes is that the focus should be on "what" a bill does and on "why" a bill is proposed. He said committee clerks are encouraged not to rely on the recordings of the meetings in order to prepare minutes. He said it takes approximately two to three times the length of a committee meeting to listen and interpret recordings because of unclear diction, failure to identify a speaker, and the extreme care needed in inserting punctuation that could change the meaning of a simple statement.

Representative Onstad said his concern is that statements that he knew were made during a hearing were not included in minutes for a bill he was researching.

Senator Stenehjem said the committee clerks are under extreme pressure during a legislative session, and the issue appears to be a clerk's determination as to what is relevant and important for inclusion in the minutes.

## LEGISLATIVE RULES

### Crossover and Reporting Deadlines

At the request of Chairman Carlson, the assistant director reviewed the current legislative deadlines and the deadlines as proposed under the third draft of [Proposed Amendments to Senate and House Rules 329\(4\) and 508, Senate Rule 402\(3\), House Rule 402\(4\), and Joint Rule 203.](#)

The assistant director referred to a calendar ([Appendix C](#)) depicting the current legislative deadlines and a calendar ([Appendix D](#)) depicting the deadlines as proposed under the third draft. He said the changes in the third draft include extending from Thursday to the following Monday the deadline for rereferral to the Appropriations Committee in the house of origin, extending by one week the deadline to report in the house of origin, extending by one week the deadline for crossover, moving back one week the legislative recess, extending by two weeks the

deadline for rereferral to the Appropriations Committee in the second house, and extending by two weeks the deadline to report in the second house. He noted that the deadlines are changed in the second house to two weeks because the deadlines were extended one week in the first house, and that requires a two-week extension in the second house to give the equivalent of a one-week extension in the second house.

The assistant director noted that the rules currently are based on a 60-day legislative session. When the legislative session was limited to 60 days, he said, the deadline for reporting bills out of committee in the second house was the 48<sup>th</sup> legislative day. Although the Constitution of North Dakota was amended in 1976 to authorize a legislative session of 80 days, he said, the final reporting deadline remained as the 48<sup>th</sup> legislative day until the 1995 legislative session, when the deadline was extended to the 55<sup>th</sup> legislative day. He said the proposed rules amendment moves this deadline to the 65<sup>th</sup> legislative day.

Representative Vigesaa said moving the deadlines back guarantees an 80-day legislative session.

Representative Monson agreed with Representative Vigesaa but pointed out the rules are being suspended to provide an extra week anyway. He said if this rules amendment is approved, time needs to be used accordingly.

Representative Carlson said the Legislative Assembly considers a \$6 billion budget for state government. He said too much material and too much decisionmaking is jammed into the first half of a legislative session.

**It was moved by Representative Monson, seconded by Representative Boucher, and carried**

**on a roll call vote that the committee approve the third draft of proposed amendments to Senate and House Rules 329(4) and 508, Senate Rule 402(3), House Rule 402(4), and Joint Rule 203 relating to rereferrals to Appropriations Committees, reporting of measures, the crossover deadline, and the legislative recess.** Representatives Carlson, Boucher, Monson, Onstad, and Vigesaa and Senators Klein and O'Connell voted "aye." No negative votes were cast.

### **ADMINISTRATIVE MATTERS**

Chairman Carlson announced that the final Legislative Management meeting to receive reports from interim committees would be Tuesday and Wednesday, November 16-17, 2010; the organizational session would convene on Monday, December 6, 2010; and the regular legislative session would convene on Tuesday, January 4, 2011.

No further business appearing, Chairman Carlson adjourned the meeting at 3:30 p.m.

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Jay E. Buringrud  
Assistant Director

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Jim W. Smith  
Director

ATTACH:4