

NORTH DAKOTA LEGISLATIVE MANAGEMENT

Minutes of the

LEGISLATIVE PROCEDURE AND ARRANGEMENTS COMMITTEE

Wednesday, September 23, 2015
Harvest Room, State Capitol
Bismarck, North Dakota

Representative Al Carlson, Chairman, called the meeting to order at 8:00 a.m.

Members present: Representatives Al Carlson, Corey Mock, Kenton Onstad, Don Vigesaa; Senators Robert Erbele, Joan Heckaman, Jerry Klein, Mac Schneider, Rich Wardner

Members absent: Representative Wesley R. Belter and Senator Ray Holmberg

Others present: Blair Thoreson, State Representative, Fargo
Jim W. Smith, Allen H. Knudson, Jason J. Steckler, Kyle W. Forster, Lori Ziegler, Legislative Council, Bismarck
Brooks Martin, BC Support Chief, Bismarck Fire Department
See [appendix](#) for additional persons present

At the request of Chairman Carlson, Legislative Council staff reviewed the [Supplementary Rules of Operation and Procedure of the North Dakota Legislative Management](#) and the responsibilities of the committee.

LEGISLATIVE MEETING SPACE RENOVATION PROJECTS

Chairman Carlson called on Mr. Jason J. Steckler, Administrative Services Division Director, Legislative Council, for a summary of renovation projects involving legislative committee rooms and other areas under the authority of the legislative branch. Mr. Steckler said 80 electrical receptacles in the House and Senate Chambers and Memorial Hall were identified as not meeting electrical code requirements. He said approximately \$90,000 in Legislative Assembly legislative wing improvement funds will be used to bring the receptacles up to code. He said a list of legislative meeting space renovation priorities was established during the 2015 legislative session which included upgrades to ceilings in meeting rooms, upgrades to House and Senate Chamber electrical panels, and rewiring and repiping in other areas as other renovation work is done. He said those projects are estimated to cost about \$310,000 and the funds were appropriated to the Office of Management and Budget from the capitol building fund. At a future meeting, he said, the committee should consider receiving an update from the Facility Management Division of the Office of Management and Budget regarding those projects.

Mr. Steckler said he has served on a committee established to prepare for the renovation of the space within the judicial wing which was used by the Information Technology Department. He said the architects are finalizing the design for two large meeting rooms and a smaller meeting room. He said the bid opening for that project is scheduled for Monday, January 11, 2016. Some of the issues to be addressed in the design, he said, include locating exits while maximizing space and fire suppression. He said the area includes a large open space which may be separated into two rooms, each with a capacity of approximately 70 to 75 people, and a smaller meeting room.

In response to a question from Chairman Carlson, Mr. Jim W. Smith, Director, Legislative Council, said the committee should provide some direction on which committees will use that meeting space during the next legislative session. He said that decision likely should wait until the committee members are able to see the completed rooms.

In response to a question from Chairman Carlson, Mr. Steckler said the legislative branch budget includes \$160,000, which will be used for furnishing the area, including installing three projectors in the large committee rooms and sound systems that will be portable.

Representative Blair Thoreson said members of the House Appropriations Committee discussed the use of the rooms by some of the committees that have met in small committee rooms located in the horseshoe. In addition, he said, it is possible the large meeting rooms could be reserved for hearings that are anticipated to have high attendance. He said the court system intends to use the space for training sessions between sessions.

In response to a question from Representative Onstad, Legislative Council staff said the legislative branch will maintain control over the Pioneer Room as well as the new meeting rooms.

Mr. Steckler said the most recent annual Bismarck City Fire Department inspection identified several items that can be easily remedied. He said some of those items include the proper placement of fire extinguishers, installation of upgraded exit signs, posting of occupancy limitations for meeting rooms, and installation of door handles and latches that meet the requirements of the International Building Code. He said other items identified as concerns during the fire inspection will continue to be addressed as renovation work is completed in the legislative wing.

Mr. Steckler said the committee may desire to consider upgrading the legislative media room (old press studio area), which has become very dated. He said the lighting in the room is not good and there is a large unused storage area that could be repurposed. In addition, he said, the data connections in the room are analog and in need of upgrading. Although there have been some small improvements to the area, he said, the room has not been renovated since 1981.

Senator Wardner said the area should be updated and now is the time to begin that work.

Senator Schneider said representatives of the media may have suggestions for improvements.

Chairman Carlson said some expertise should be sought in developing a plan for renovation and cost estimates.

In response to a question from Representative Mock, Mr. Smith said minor changes have been made in the office space designated for the press, including painting, carpet replacement, and repurposed furniture from other remodeled areas. However, he said, members of the press have not made any requests for other changes.

In response to a question from Chairman Carlson, Mr. Smith said the Legislative Assembly appropriated \$400,000 for legislative wing upgrades and \$160,000 for furnishing the meeting rooms in the judicial wing. In addition, he said, the legislative branch appropriation has additional carryover funds that could be used for legislative wing projects.

Mr. Steckler said an additional project for which an estimate has been received is the replacement of the power and data receptacles on the desks in the House and Senate Chambers. He said a stationary receptacle similar to the receptacles in the tables of committee rooms would be an improvement over the pop-up receptacles that tend to break. He said the cost to replace the receptacles on all the desks in both chambers is approximately \$170,000.

It was moved by Representative Mock, seconded by Senator Wardner, and carried on a roll call vote that the committee approve the expenditure of approximately \$170,000 for upgrading legislative chamber desk power and data receptacles. Representatives Carlson, Mock, Onstad, Vigesaa, and Senators Erbele, Heckaman, Klein, Schneider, and Wardner voted "aye." No negative votes were cast.

In response to a question from Chairman Carlson, Mr. Steckler said renovation of the Brynhild Haugland Room has been discussed frequently, but there has been no consensus on what to do with the space. He said the stage and side storage areas are under utilized and have become a dumping ground for equipment.

Chairman Carlson said renovation of the Brynhild Haugland Room to make the room more functional should be a priority. In addition, he said, the locker areas and cloak room also should be considered for renovation.

Mr. Steckler said an additional storage area for chairs and tables in the legislative wing would be helpful. He said the old telephone booths by the supply room could be removed and the area used for storage.

INFORMATION TECHNOLOGY AND AUDIO SYSTEM PROJECTS

Chairman Carlson called on Mr. Kyle W. Forster, Information Technology Manager, Legislative Council, for a summary of legislative information technology and audio system projects and upgrades. Mr. Forster said upgrading the sound system in the Lewis and Clark Room to an in-room system is estimated to cost \$10,995.

In response to a question from Chairman Carlson, Mr. Smith said the cost of the sound system upgrade would come from the \$400,000 appropriation for legislative branch renovations. After upgrading the Lewis and Clark Room, he said, there would be about eight or nine committee rooms in need of in-room sound system upgrades.

In response to a question from Representative Onstad, Mr. Forster said the estimated cost of the upgrade for the Lewis and Clark Room is similar to the previous upgrades in the Harvest Room, Roughrider Room, and

Missouri River Room. He said the cost of the upgrade in the Prairie Room was somewhat higher due to the architecture of the room.

In response to a question from Representative Mock, Mr. Forster said all of the committee rooms have projectors and monitors. He said video cameras for broadcasting committee meetings are not available in most rooms.

It was moved by Senator Wardner, seconded by Representative Vigesaa, and carried on a roll call vote that the committee approve the expenditure of approximately \$10,995 for the installation of an in-room sound system for the Lewis and Clark Room. Representatives Carlson, Mock, Onstad, Vigesaa, and Senators Erbele, Heckaman, Klein, Schneider, and Wardner voted "aye." No negative votes were cast.

Mr. Forster said upgrading the remaining eight committee rooms with in-room sound systems would likely cost \$80,000 to \$90,000.

It was moved by senator Wardner, seconded by Senator Heckaman, and carried on a roll call vote that the committee approve the expenditure of approximately \$90,000 necessary to upgrade the remaining legislative committee rooms with in-room sound systems. Representatives Carlson, Mock, Onstad, Vigesaa, and Senators Erbele, Heckaman, Klein, Schneider, and Wardner voted "aye." No negative votes were cast.

Mr. Forster said color printers have been added to the page rooms and the Harvest and Roughrider Rooms so that a color printer is available in the areas most often needed. He said legislators' computers and iPads are due for replacement based upon the four-year replacement cycle. He said the anticipated cost of replacement is expected to be approximately \$603,000. He said a computer replacement workgroup has been used during the last two replacement cycles and this committee may desire to establish a computer replacement workgroup to select replacement computers in the spring for implementation before the next legislative session. He said the previous two replacement workgroups consisted of six representatives and four senators and Representative Bob Martinson chaired the workgroups.

In response to a question from Senator Wardner, Mr. Forster said if legislative leadership were to provide suggested names of the workgroup by fall, the workgroup could be established in time to begin its work early next year.

Representative Onstad said it would seem likely that money could be saved if laptop computers and iPads were replaced with one device.

Mr. Forster said the North Dakota legislative daily application was implemented during the 2015 legislative session. He said the application will be enhanced to include interim committee information and push and event notifications as well as session reminders. He said the application will be pushed to the app stores to allow legislators to download the application on personal devices.

In response to a question from Representative Vigesaa, Mr. Forster said the Surplus Property Division of the Office of Management and Budget will establish a purchase price for the replaced computer equipment. He said the laptops would be wiped clean and purchasers would need to purchase the software that they would like. During the last replacement process, he said, the information technology staff recommended that legislators not purchase the used computers because it was not cost effective. He said the information technology staff will provide legislators with additional information next year.

In response to a question from Chairman Carlson, Mr. John Boyle, Director, Facility Management Division, Office of Management and Budget, said Capitol upgrade projects have been going well. He said the limestone cleaning is proceeding and will continue in the spring. He said a seven-member design committee has been meeting to address the design and siting of the new residence for the Governor.

In response to a question from Senator Heckaman, Mr. Boyle said the design committee has worked with an architectural firm from Fargo and is recommending that the Governor's residence be sited in a manner to provide access from Fourth Street and the Capitol mall so that the residence appears to be more of a part of the Capitol complex. He said the committee will meet during the last week of September to seek final approval of the siting and schemes from the Capitol Grounds Planning Commission. He said the Capitol Grounds Planning Commission will hold a meeting on December 1, 2015, in the Brynhild Haugland Room to seek public input on the project. He said Representative Pamela Anderson and Mr. Jim Poolman are leading the fundraising efforts which must procure \$500,000 before construction may commence. He said it is hoped the \$500,000 will be raised by the end of the calendar year.

USE OF LEGISLATIVE CHAMBERS AND COMMITTEE ROOMS

At the request of Chairman Carlson, Legislative Council staff reviewed the [Guidelines for Use of Legislative Chambers and Displays in Memorial Hall, North Dakota State Capitol](#) and [Guidelines for Use of Legislative Committee Rooms North Dakota State Capitol](#). Legislative Council staff said small revisions were made to both documents including a provision addressing the placement of a grand piano in Memorial Hall and changing a reference to the press studio to the legislative media room.

It was moved by Representative Vigesaa, seconded by Representative Mock, and carried on a roll call vote that the revisions to the *Guidelines for Use of Legislative Chambers and Displays in Memorial Hall, North Dakota State Capitol* and *Guidelines for Use of Legislative Committee Rooms North Dakota State Capitol* be approved. Representatives Carlson, Mock, Onstad, Vigesaa, and Senators Erbele, Heckaman, Klein, Schneider, and Wardner voted "aye." No negative votes were cast.

Legislative Council staff reviewed a request from Mr. Brian Bubach, North Dakota High School Activities Association, to use the House and Senate Chambers and committee rooms for the 2016 North Dakota High School Activities Association State Student Congress on Thursday and Friday, November 3-4, 2016; a request by Mr. Alvin A. Jaeger, Secretary of State, to use the House Chamber for a statewide election conference on Wednesday, February 17, 2016; and a request by Mr. Brooks Martin, Bismarck Fire Department, to use the House and Senate Chambers for a bioterrorism training exercise on December 1, 2015.

Mr. Martin said civil support training is conducted every 18 months and the training in December will include a response to a bioterrorism event in the House or Senate Chambers. In addition, he said, the training will utilize the west parking lot.

It was moved by Senator Wardner, seconded by Senator Klein, and carried on a roll call vote that the committee approve the request to use the House and Senate Chambers and committee rooms for the 2016 North Dakota High School Activities Association State Student Congress on Thursday and Friday, November 3-4, 2016; to use the House Chamber for a statewide election conference on Wednesday, February 17, 2016; and to use the House and Senate Chambers for a bioterrorism training exercise on December 1, 2015. Representatives Carlson, Mock, Onstad, Vigesaa, and Senators Erbele, Heckaman, Klein, Schneider, and Wardner voted "aye." No negative votes were cast.

LEGISLATIVE INTERNSHIP PROGRAM

The Legislative Council staff reviewed the legislative internship program. He said the University of North Dakota School of Law has historically provided 10 interns to assist the standing committees in preparing amendments. He said the Legislative Council has budgeted for 12 interns, two of whom would be assigned to the fiscal staff or for other Legislative Council purposes. He said law student interns receive credit from the law school and participate in additional coursework during the evenings. Although interns are not employees and accreditation standards do not allow the law school to provide credit for compensated employment, he said, the interns are eligible to receive a stipend. He said the stipend during the 2015 legislative session was \$3,250. Using the percentage of salary increase allowed for state employees during the biennium, he said, the stipend amount for the 2017 session would increase to approximately \$3,500. However, he said, the final stipend amount would be dependent upon guidelines set by the school of law to be consistent with accreditation requirements.

Chairman Carlson said he would like to see the number of interns for the fiscal staff increase to four. He said the internship program is a great recruiting tool for the Legislative Council staff.

It was moved by Representative Vigesaa, seconded by Senator Wardner, and carried on a roll call vote that the legislative internship program be continued through the 2017 legislative session, the program be expanded to include up to four fiscal staff interns, and the stipend be increased to \$3,500 as determined in consultation with the University of North Dakota School of Law. Representatives Carlson, Mock, Onstad, Vigesaa, and Senators Erbele, Heckaman, Klein, Schneider, and Wardner voted "aye." No negative votes were cast.

LEGISLATIVE SESSION DEADLINES

At the request of Chairman Carlson, Legislative Council staff distributed the calendar of [Legislative Deadlines for the 2017 Legislative Session](#).

Senator Klein said he would like to have some discussion regarding the deadline for the introduction of resolutions.

In response to a question from Chairman Carlson, Mr. Smith said the Legislative Management meeting for receiving final reports of interim committees has been set for November 16-17, 2016.

CENSUS DATA REDISTRICTING PROJECT

Legislative Council staff said the United States Census Bureau has contacted the state regarding participation in Phase I of the 2020 Census Redistricting Data Program. He said the program provides the state the opportunity to provide updates to the United State Census Bureau regarding legislative district block boundaries. He said the state has participated in Phase I of the program during prior census cycles.

It was moved by Senator Klein, seconded by Senator Schneider, and carried on a roll call vote that the Legislative Council staff be requested to notify the United State Census Bureau that the state will participate in Phase I of the 2020 Census Redistricting Data Program. Representatives Carlson, Mock, Onstad, Vigesaa, and Senators Erbele, Heckaman, Klein, Schneider, and Wardner voted "aye." No negative votes were cast.

LEGISLATIVE RULES

Representative Onstad said he would like the committee to address rules relating to conference committee amendments and amendments to substantive portions of bills referred to the appropriations committees. He said conference committees often do not appear to confine the discussion to the differences between the houses. With respect to appropriations committee amendments, he said, he is concerned with the appropriations committees amending substantive provisions and also changing the intent of a bill.

MIDWESTERN LEGISLATIVE CONFERENCE

Mr. Smith updated the committee regarding the Council of State Governments Midwestern Legislative Conference held in Bismarck in July. He said the 2015 Legislative Assembly appropriated \$350,000 to support the conference and approximately \$245,000 of that amount has been spent. He said the conference attendance was the second highest amount in recent years, with 453 persons attending. He said private sector contributions to the conference exceeded the amount budgeted by approximately \$100,000. In addition, he said, funds for conference registrations came in about \$10,000 higher than expected.

Chairman Carlson said the next meeting will be held on December 16, 2015.

No further business appearing, Chairman Carlson adjourned the meeting at 9:30 a.m.

John Bjornson
Code Revisor

ATTACH:1