

# NORTH DAKOTA LEGISLATIVE COUNCIL

Minutes of the

## LEGISLATIVE MANAGEMENT COMMITTEE

Tuesday, June 9, 1998  
Harvest Room, State Capitol  
Bismarck, North Dakota

Representative John Dorso, Chairman, called the meeting to order at 9:00 a.m.

**Members present:** Representatives John Dorso, Merle Boucher, Pam Gulleston, Mike Timm; Senators Tony Grindberg, Aaron Krauter, Tim Mathern, Gary J. Nelson

**Members absent:** Representative William E. Kretschmar, Senator David E. Nething

**Others present:** See Appendix A

Chairman Dorso announced that Representative Mike Timm had been added to the committee in place of Representative Tom Freier, who had resigned from the Legislative Assembly.

### MINUTES

**It was moved by Senator Nelson, seconded by Representative Timm, and carried on a voice vote that the minutes of the March 17, 1998, meeting be approved as distributed.**

### INFORMATION TECHNOLOGY

#### Legislator E-mail Policy

The assistant director reviewed a memorandum entitled *Legislators' Use of E-mail - Survey Results*. The assistant director said under the e-mail/postal policy presented to the Legislative Council at its June 3, 1997, meeting, legislators with state-provided computers receive e-mail notice of committee meetings and a postal meeting reminder notice; and meeting notices, agendas, and minutes are available through the Legislative Council's server and legislators can replicate them for viewing off-line or view them directly from the legislative branch web page. He said the survey results indicate that 5 of 27 senators and 15 of 63 representatives are not using the e-mail system effectively. To aid those legislators who require additional time to be comfortable with e-mail notice and transmittal of materials, he said, legislators with state-provided computers could be provided an option to receive postal notice of meetings and postal delivery of minutes, in addition to the e-mail notice.

Senator Nelson said comments on the survey point out that some legislators have been having trouble connecting to the server. Ms. Maryann Trauger, Information Technology Coordinator, Legislative Council, said some problems will occur in any system, but the Legislative Council staff needs to be

notified if there is a recurring problem so that corrective action can be initiated. Senator Nelson requested the Legislative Council staff to review the surveys and contact the legislators who indicated they are having problems connecting with the server.

**It was moved by Representative Boucher and seconded by Representative Timm that the Legislative Council staff be requested to offer each legislator who has a state-provided computer the option of also receiving postal delivery of notices, or receiving postal delivery of minutes, or receiving both.** Senator Krauter said a legislator who follows committee activities should be astute enough to know when that legislator's committee is going to meet. Representative Dorso said the legislative branch has invested a substantial amount of money to provide personal computers to legislators, and he questioned the need to continue with paper distribution of these types of materials. He said it is not too difficult to turn on the computer and learn to use it. He said he might support a motion to allow the option of providing postal notice of meetings in addition to e-mail notice but not automatic use of postal delivery to everyone. In response to a question from Senator Grindberg, the director said this policy would apply to this interim because the proposed acquisition of computers for use by all legislators would require revisiting this issue after the 1999 session. After this discussion, **the motion carried on a roll call vote.** Representatives Boucher and Timm and Senators Grindberg, Krauter, and Nelson voted "aye." Representative Dorso voted "nay."

The assistant director said legislators have requested use of private e-mail addresses for legislative purposes so they could use their regular business or private computers rather than state-provided computers. To aid those legislators who would like to receive e-mail notices on their own computers, he said, a legislator's private e-mail address could be added, on request, as a forwarding address to the state's mail server during the interim. He said this would result in forwarding e-mail messages from the Legislative Council's server to the private e-mail address of that legislator. Under this option, he said, the legislator will receive e-mail messages, but the features of Lotus Notes which allow a legislator to accept or decline an invitation (and thus inform the Legislative Council of whether that legislator will

attend the meeting) and which provide for automatic scheduling in Lotus Organizer will not be available.

**It was moved by Senator Nelson and seconded by Representative Timm that the Legislative Council staff be requested not to add private e-mail addresses as forwarding addresses to the state's mail server.** Representative Dorso said use of forwarding addresses would require constant maintenance of a current list of service providers, and action would have to be taken whenever legislators would change their Internet service providers. Senator Grindberg said a legislator can always send e-mail through private systems, but connection to the state system is important to maintain current address books. After this discussion, **the motion carried on a roll call vote.** Representatives Dorso, Boucher, Gulleston, and Timm and Senators Grindberg, Krauter, and Nelson voted "aye." No negative votes were cast.

### WinPopUp

The assistant director said WinPopUp was installed on legislators' computers during the 1997 session as a "quickie" messaging system between legislators. He said this has had an erratic effect on the LAWS system. He said it has locked up the system and a number of legislators complained about messages popping up while they were working on other things.

Senator Mathern said he cannot remember any problems with this system. Senator Nelson said there were problems constantly during the session, especially when a legislator was relying on notes on the computer during floor speeches.

**It was moved by Representative Timm, seconded by Senator Nelson, and carried on a voice vote that the Legislative Council staff be requested to remove WinPopUp from computers as those computers are serviced or distributed or as software is upgraded.**

### 1999 Legislative Assembly Computer Hardware Assignment and Acquisition

Ms. Trauger reviewed a table depicting 1999 Legislative Assembly computer hardware use and proposed hardware acquisition. The table identified 63 IBM ThinkPad computers to be replaced, 15 IBM ThinkPad computers to be reassigned to desk forces and legislative interns, 20 desktop computers to be reassigned from leadership offices and the secretarial service area to committee clerks, 13 mainframe terminals to be retained for use in the telephone room, 41 mainframe terminals used by the desk forces and committee clerks to be replaced with personal computers, 20 local printers in the leadership offices and secretarial service area to be reassigned to the Legislative Council and replaced with newer local printers, five mainframe printers used in the committee clerk and Appropriations Committee areas to be replaced with network/mainframe printers, and

six mainframe/network printers to be reassigned from desk forces and the page rooms to committee clerk and Appropriations Committee areas. To accommodate the reassignment and replacement of this hardware, she said, the proposal is to acquire 87 portable personal computers (to provide for a computer for each legislator), six network/mainframe printers for the desk forces and the page rooms, 20 local printers for the leadership offices and secretarial service area, and 20 desktop computers for the leadership offices and secretarial service area. She said effects of the plan are to upgrade the notebook computers used by legislators, replace mainframe terminals with personal computers in the committee clerk area, and provide the most current printer technology and desktop computer capability in the leadership offices and the secretarial service area.

**It was moved by Senator Nelson, seconded by Senator Grindberg, and carried on a roll call vote that the committee approve the computer hardware assignment and acquisition for the Legislative Assembly as presented to the committee.** Representatives Dorso, Boucher, Gulleston, and Timm and Senators Grindberg, Krauter, and Nelson voted "aye." No negative votes were cast.

### Notebook Computer Demonstration

The assistant director said the Legislative Council staff prepared specifications for portable personal computers to replace the 60 IBM ThinkPad 755CD and 15 IBM ThinkPad 760ED computers acquired for legislators beginning in 1995. He said the staff provided these specifications to the vendors who had been contacted earlier this interim and to those vendors who expressed interest. He said the vendors were invited to appear before the committee and describe the notebook computers they proposed to provide the capabilities requested. He said Corporate Technologies, Fargo, is the vendor for three brands--Compaq, Fujitsu, and IBM. He said all the computers to be demonstrated include a Windows 95 operating system, a carrying case, and are year 2000 compliant. He said Windows 98 was not included in the specifications because of concerns over ensuring its compatibility with the legislative systems during the short timeframe before the 1999 session.

### Compaq Armada 7800

Chairman Dorso recognized Ms. Jennifer Lefor, Account Manager, Government, Corporate Technologies, Fargo. Ms. Lefor said the Compaq provides a Pentium II 266 processor, 64 megabyte (MB) memory, a 5 gigabyte (GB) hard drive, modular floppy and CD-ROM drives, a 13.3-inch active matrix display, pointing stick pointing device, three-year warranty, and Microsoft Fax software. She said the price is \$3,349.

In response to a question from Representative Dorso, Ms. Lefor said the CD-ROM drive can be removed and replaced with the floppy disk drive

without losing information. She said the price does not provide for any trade value or credit for the ThinkPads.

#### **Fujitsu LifeBook 985Tx and LifeBook 990Tx**

Chairman Dorso recognized Mr. Trevor Distad, Corporate Account Manager, Fujitsu PC Corporation, Minneapolis. Mr. Distad introduced Mr. Chris Fox, Fujitsu PC Corporation, Schaumburg, Illinois. Mr. Distad distributed materials describing Fujitsu PC Corporation, a copy of which is on file in the Legislative Council office.

Mr. Distad said the LifeBook 985Tx has a Pentium 233 MMX processor and the LifeBook 990Tx has a Pentium II 266 processor. Otherwise, he said, the specifications are the same: 48 MB memory, a 5 GB hard drive, modular floppy and CD-ROM drives inside the chassis, a 13.3-inch active matrix display, data/fax/voice network card, an Ergo Track pointing device, a three-year warranty on parts and labor, and MegaPhone speaker phone software. He said the price is \$3,373 for the 985Tx and \$3,912 for the 990Tx. He said a trade-in value or credit of \$250 for the 755CD and \$150 for the 360C computers is available.

Mr. Distad said the Pentium II chip allows intensive graphics use and the LifeBook allows interchange of digital video disk drives and additional hard drives.

In response to a question from Senator Krauter, Mr. Chuck Picard, Information Technology Computer Specialist, Legislative Council, said the network cards from the IBM ThinkPads will work with modems of any computer demonstrated at the meeting.

In response to a question from Representative Timm, Mr. Fox said the MegaPhone software allows the notebook computer to be used as a speaker phone and also allows receipt of facsimile messages.

In response to a question from Representative Dorso, Mr. Fox said a 56K modem does not indicate a true speed, because the speed of a modem depends on phone lines, traffic, and other variables. He said most people will probably connect at 28.8 or 33.6.

#### **Dell Inspiron 3000**

Chairman Dorso recognized Mr. Dave Rasmussen, Technical Analyst, Dell Computer Corporation, Eden Prairie, Minnesota. Mr. Rasmussen described the Dell Computer Corporation and provided a copy of his video slide presentation to the Legislative Council. This copy is on file in the Legislative Council office. He said options are available to lease, purchase, and provide trade-in credits for the ThinkPads. He said the Dell Inspiron 3000 is their suggested solution to the needs of legislators. He said Inspiron 3000 has a Pentium 233 MMX processor, 48 MB memory, a 3.2 GB hard drive, modular floppy and CD-ROM drives that can be swapped, a 13.3-inch active matrix display, 33.6 modem, touchpad pointing device, three-year warranty on parts, labor, and return costs, and Microsoft Fax

software. He said the price is \$2,728 with a port replicator or \$2,524 without one.

Mr. Distad said a Pentium II processor would be beneficial to enhance games and graphics, which is not seen as a primary need for legislators. He noted that the 233 MMX processor is 26 percent faster than the Pentium 166 MMX in the Gateway Solo 9100 computers used by some legislators.

In response to a question from Representative Boucher, Mr. Rasmussen said if the applications do not change, technology used for those applications should last four to five years. Representative Dorso noted that plans are to place these computers on a four-year replacement schedule.

#### **Gateway Solo 9100 and Solo 2500**

Chairman Dorso recognized Mr. Dan Sabus, Account Executive, Gateway, Merriam, Kansas. Mr. Sabus described the Gateway Solo 9100 and Solo 2500 personal computers. He said the main difference between the two is the Solo 9100 has a modular combination floppy and CD-ROM drive all in one, and a 14.1-inch active matrix screen, while the Solo 2500 has an integrated combination floppy and CD-ROM drive located inside the chassis, one accessible from the front and the other accessible from the side, and a 13.3-inch active matrix display. He said the Solo 9100 weighs 8.6 pounds while the Solo 2500 weighs 6 pounds 14 ounces.

Mr. Sabus said each Solo computer has a Pentium II 233 processor, 48 MB memory, a 4 GB hard drive, 56K modem, three-year warranty with option to purchase a one-year replacement computer (VIP) service for \$100, and Microsoft Fax software. He said the Solo 2500 can be manufactured with a touchpad or pointing stick pointing device. He said the price for the Solo 9100 is \$3,266 and for the Solo 2500 is \$2,888. He said a trade-in or credit of \$225 for the 755CD and \$125 for the 360C computers is available.

In response to a question from Senator Mathern, Mr. Sabus said the main differences between the two computers are the all-in-one floppy and CD-ROM drives versus the separate but integrated floppy and CD-ROM drives and the 14.1-inch versus the 13.3-inch display. He said the main reason for the weight differential is the difference in the size of the displays.

#### **IBM ThinkPad 600**

Chairman Dorso recognized Mr. Jim Gienger, Client Representative, IBM, Bismarck. Mr. Gienger distributed information on the local contacts IBM has in North Dakota. A copy of this information is on file in the Legislative Council office. He said IBM has 43 employees in North Dakota and several local partnerships. He introduced Mr. Mike Komar, PC Sales Specialist, IBM, Minneapolis. Mr. Komar described

the differences in the two IBM ThinkPad 600 computers on display before the committee. He said the main differences between the lower-priced ThinkPad and the higher-priced ThinkPad is that one has a Pentium 233 MMX processor and a 13-inch HPA display while the other has a Pentium II 233 processor and a 13.3-inch active matrix display. He said each version has 48 MB memory, a 3.2 GB hard drive, modular floppy and CD-ROM drives that can be swapped, a 56K internal modem, pointing stick pointing device, three-year warranty, and Ring Central fax and speaker phone capabilities. He said the prices are \$2,597 and \$3,397, respectively. He said the warranty can be extended to a fourth or fifth year. He said a trade-in or credit of \$200 for the 755CD and \$100 for the 360C computers is available.

Mr. Komar emphasized that the ThinkPad 600 weighs only 5.5 pounds and has interchangeable floppy and CD-ROM drives. He said the drives can be interchanged by closing the lid--the computer automatically goes into suspend mode--popping out one drive and inserting the other, and opening the lid to resume operation.

In response to a question from Senator Mathern, Mr. Komar said the ThinkPad 600 will accept a digital video disk drive.

In response to a question from Senator Grindberg, Mr. Komar said Ring Central is the software for speaker phone, facsimile, and answering machine capability.

Chairman Dorso declared a 20-minute recess to provide committee members the opportunity to have hands-on experience with the notebook computers described to the committee.

### Notebook Computer Discussion

In response to a question from Representative Gulleson, Ms. Trauger said the specifications are those features required for operating current legislative systems and software as well as the software with contemplated changes for the next four years.

In response to a question from Representative Dorso, Ms. Trauger said 61 legislators have chosen the personal use option for their computers.

Chairman Dorso suggested that committee members start eliminating computers to make a final selection.

Representative Dorso pointed out disadvantages of the HPA display screen on the one IBM ThinkPad 600, and that machine was eliminated from future discussion.

In response to a question from Representative Timm, Mr. Picard said the Fujitsu and IBM computers are voice capable. Ms. Lefor said voice capability could be added to the Compaq through an external modem at a cost of approximately \$199. Mr. Sabus estimated it would cost from \$50 to \$100 to exchange the cellular modem in the Gateway with a voice modem, and any additional cost would depend upon

the type of voice software acquired in addition to the modem.

Mr. Craig Palmer, Corporate Technologies, Fargo, pointed out that the Fujitsu, IBM, and Compaq computers are sold by a North Dakota firm with local employees and contacts.

In response to an inquiry from Representative Dorso, Mr. Rasmussen said the modem in the Dell could be replaced with a 33.6 data voice modem and the Pentium 233 MMX processor could be replaced with a Pentium II 233 processor and the resulting computer would cost \$2,799. Mr. Rasmussen said the Pentium II is 10 to 15 percent faster than the Pentium MMX. He said a trade-in or credit of \$11,340 is available if the IBM ThinkPads are boxed for pickup or \$9,450 if the ThinkPads are not boxed.

Mr. Picard noted the floppy drive can connect to a parallel port in the Dell, but if that option is chosen, a printer cannot be connected at the same time without purchasing an additional hardware device for \$37.

Senator Nelson said he preferred an integrated floppy and CD-ROM drive rather than separate floppy and CD-ROM drives that had to be swapped. Senator Krauter agreed and said a modular system is adequate, but the time the carry-along unit is not along may be the time that unit is needed. Senator Mathern said he likes the idea of a switchable drive compared to the earlier ThinkPads, which require lifting keyboards and other delicate work. He said he likes the lesser weight of the remaining IBM ThinkPad 600 and does not believe that many legislators use the floppy drive other than for loading software and drivers.

It was the consensus of the committee members to acquire computers with voice capability. The Compaq Armada 7800 was eliminated due to its higher price of \$3,349 and the need to use an external modem for voice capability. It was the consensus of committee members to favor the Gateway Solo 2500 over the Gateway Solo 9100 and the Fujitsu LifeBook 985Tx over the Fujitsu LifeBook 990Tx.

**It was moved by Senator Nelson, seconded by Senator Grindberg, and carried on a voice vote to eliminate further discussion of trade-in or credit values and delay any decision on the disposition of the IBM ThinkPad 755CD and 360C computers until later in the interim.**

Chairman Dorso reviewed the four remaining computers as the IBM ThinkPad 600 at a price of \$3,397, the Fujitsu LifeBook 985Tx at \$3,373, the Dell Inspiron 3000 at \$2,799 plus \$37 for the capability to use a printer and the external floppy drive at the same time, and the Gateway Solo 2500 at \$2,888 plus \$50 to \$100 to obtain a voice modem.

In response to a question from Senator Mathern, Mr. Picard said there is little difference between the Pentium II and the Pentium MMX processors for legislative use because the software has not been written to take advantage of the features of the Pentium II.

**It was moved by Senator Nelson, seconded by Senator Grindberg, and carried on a voice vote to eliminate further consideration of the Dell Inspiron 3000.**

**It was moved by Senator Grindberg, seconded by Representative Timm, and carried on a voice vote to eliminate further consideration of the Fujitsu LifeBook 985Tx.**

**It was moved by Senator Mathern to acquire the IBM ThinkPad 600.** Chairman Dorso ruled the motion failed for the lack of a second.

**It was moved by Representative Timm, seconded by Senator Grindberg, and carried on a roll call vote that the Gateway Solo 2500 be selected as a computer to be acquired for legislators; that the Legislative Council chairman be authorized to negotiate with Gateway for addition of voice capability; and that the Legislative Council staff determine the number of computers to be acquired with a touchpad pointing device and the number of computers to be acquired with a pointing stick pointing device.** Representatives Dorso, Boucher, Gulleston, and Timm and Senators Grindberg, Krauter, and Nelson voted "aye." Senator Mathern voted "nay."

## **CONTRACTS FOR PRINTING LEGISLATIVE DOCUMENTS**

The assistant director reviewed the contents of the 1996 invitation to bid for printing bills, resolutions, and journals and the 1996 invitation to bid for publishing the Session Laws. He said no major changes were proposed other than to increase the number of printed resolutions from 400 to 500 to equal the number of printed bills, which was requested by bill and journal room personnel, and to require the 30 permanent journals and journal indexes be wrapped to aid in their distribution by the Secretary of State.

**It was moved by Senator Nelson, seconded by Senator Mathern, and carried on a voice vote that the Legislative Council staff be requested to prepare a legislative rules draft to amend Joint Rule 603(1) to increase the number of printed resolutions to 500.**

Chairman Dorso recognized Mr. George Keiser, Quality Printing Service, for comments on the operation of the bill and journal room during the 1997 legislative session. Mr. Keiser distributed a letter outlining his presentation, a copy of which is on file in the Legislative Council office.

Mr. Keiser said the specifications of the contract for printing bills, resolutions, and journals were well organized, clear, and concise and no changes seem to be necessary. Also, he said, the specifications for providing bill and journal room services were clear and concise. He said the hours of operation and the requirements regarding service, although demanding, served the citizens, legislators, and lobbyists very well. With respect to evaluating how the consolidation of printing bills, resolutions, and journals and

operating the bill and journal room worked, he said, they believed it worked well. He said they billed a total of \$1,122.60 for faxing and photocopying services during the legislative period, and that amount did not cover the rental charges for the machines. He recommended eliminating the performance bond, which is not required for other jobs and costs approximately \$700. He suggested that a deposit could be made in an escrow account to handle potential costs if the contractor defaults.

The director said it is worthwhile for the Legislative Council staff to be able to refer requests for copies and fax services to the bill and journal room.

In response to a question from Representative Dorso as to whether the Legislative Council or Legislative Assembly should provide fax and copying machines and a share of the revenues be made between the contractor and the state, with the state to cover any difference, Mr. Keiser said contractors can build the cost of providing fax services and photocopying services into their bids. He said he would prefer that route rather than having the Legislative Council lease machines and split fees through a cumbersome procedure.

In response to a question from Representative Boucher, Mr. Keiser said \$10,000 to \$15,000 is a reasonable amount to be placed into escrow. He emphasized that the major cost would be early in the session when the bills are being printed and failure of the contractor during the last few weeks of the session would not cause much hardship because most items have been printed.

**It was moved by Senator Mathern, seconded by Representative Boucher, and carried on a roll call vote to approve the invitation to bid the bills and resolutions and journals and operation of the bill and journal room as a single contract with revisions to increase the number of printed resolutions to 500 and provide for wrapping of the permanent journals and journal indexes, to approve the invitation to bid the Session Laws, and to allow a contractor to provide either a performance bond or an escrow account in an amount determined by the Legislative Council staff to be reasonable after meeting with contractors who either bid for the 1997 work or express interest in bidding for the 1999 work.** Representatives Dorso, Boucher, Gulleston, and Timm and Senators Grindberg, Mathern, and Nelson voted "aye." No negative votes were cast.

## **LEGISLATIVE INFORMATION SERVICES On-line Bill Status System**

Chairman Dorso recognized Mr. Eddie V. Dunn, North Dakota University System, who introduced Mr. Marty G. Hoag, North Dakota State University. Mr. Hoag distributed a proposal made in response to a request by the committee at its October 1997 meeting to determine the feasibility of North Dakota State University receiving bill status information from

the Legislative Council for provision to users outside the legislative branch. A copy of the proposal is attached as Appendix B.

Mr. Hoag said this is a partnership that is being proposed whereby the Legislative Council staff would provide legislative information services to the legislative branch and the University System would provide legislative information services to outside users. He said the Legislative Council would maintain the free information available on the legislative branch web page and work with the other partners to determine the best format for delivery of text and information to the University System; the Information Services Division would provide help desk services to state agencies other than higher education institutions; and the University System would develop and refine the bill tracking service, provide access for nonstate users for a fee to be determined by the University System, and provide help desk support for higher education and nonstate users who are accessing the information through the legislative branch web page.

Senator Nelson requested that the Legislative Management Committee be informed of the fees established by the University System when those fees are determined.

In response to a question from Senator Matheron, Mr. Hoag said the tracking system is fairly simple and uses common web browsers. He said they think they can avoid problems with people using Windows 3.1 or other types of operating systems.

**It was moved by Senator Nelson, seconded by Senator Grindberg, and carried on a roll call vote that the committee accept the proposal of the University System to provide bill status information to entities outside the legislative branch, as presented in the proposed agreement presented to the committee, subject to the Legislative Council being able to provide the information and service contributions without detriment to the ability of the Council to provide services to the legislative branch.** Representatives Dorso, Boucher, Gulleson, and Timm and Senators Grindberg, Matheron, and Nelson voted "aye." No negative votes were cast.

### **Legislative Document Subscription Fees**

The assistant director reviewed subscription fees for legislative documents during the 1997 legislative session and proposed fees for the 1999 legislative session. Past practice, he said, was to base subscription fees on the cost of printing the various documents, divided by the number of documents. He said the figures are based on 1997 printing costs divided by numbers of copies printed in 1997:

1. Eighteen libraries participated in the library document distribution program during the 1997 session at a subscription fee of \$220 per library (the cost of the 1995 bill status report), with an additional \$25 if the subscription was made after the deadline to

subscribe. The cost of printing 68 bill status reports was \$20,859.82, or approximately \$310 each.

2. Eighty-nine subscribers paid \$135 each to pick up a set of bills and resolutions and five paid \$245 each to receive a set by mail. The cost of printing the 1997 bills and resolutions was \$61,241.43, or approximately \$125 per set.
3. Fifty-six entities paid \$65 each to pick up a set of the journals and four paid \$175 each to receive a set by mail. The cost of printing the 1997 journals and providing pressboard covers was \$54,904, or approximately \$65 per set.
4. Twenty-three people paid \$30 each to receive the journal index. The cost of printing the 1997 journal index was \$6,098.40, or approximately \$25 per index.
5. Twenty-four subscribers paid \$220 each to pick up the bill status report and two paid \$330 each to receive it by mail. The cost of printing the 1997 bill status reports approximated \$310 each.
6. No charge was made for picking up daily calendars, but two people paid \$55 each to receive the calendars by mail.
7. No charge was made for picking up committee hearing schedules, but eight entities paid \$30 each to receive the schedules by mail.
8. No one paid \$650 to receive special photocopies of bills and resolutions under Senate and House Rules 404 and the estimated cost to provide this service in 1999 is \$700 each.

The assistant director said bill and journal room personnel have expressed concern that some individuals request 25 to 35 bills at a time, some individuals come every day with a list of bills and resolutions which results in them acquiring all bills and resolutions introduced to date without paying a subscription fee, and some individuals get more than five copies of a measure by saying the extra copies are for "mom" down the hall.

**It was moved by Representative Timm, seconded by Senator Nelson, and carried on a roll call vote that for the Fifty-sixth Legislative Assembly:**

1. **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 \$125, with a set to be mailed upon payment of an additional fee of \$110.**
2. **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 \$65, with a set to be mailed only after payment of an additional fee of \$110.**

3. The index to the House and Senate journals be available only after payment of a subscription fee of \$25.
4. A printed bill status report be available from the bill and journal room only after payment of a subscription fee of \$310, and that the report be mailed only after payment of an additional fee of \$110.
5. 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 \$55 and a set of weekly committee schedules be mailed by the bill and journal room only after payment of a fee of \$30.
6. The library document distribution program be continued on the same basis as in the past, but a subscribing library must pay a fee of \$310, and an additional fee of \$25 if subscription to the program is after the deadline determined by the Legislative Council staff.
7. Copies of bills and resolutions under Senate and House Rules 404 be provided for a fee of \$700.
8. The fees not be charged to state agencies and institutions and representatives of the media as determined under Joint Rule 802.
9. No more than five copies of a limited number of bills and resolutions can be obtained without charge as provided by Joint Rule 603.

Representatives Dorso, Gulleston, and Timm, and Senators Grindberg, Mathern, and Nelson voted "aye." No negative votes were cast.

### **LEGISLATIVE RENOVATION**

Chairman Dorso recognized Mr. Warren Tvenge, Tvenge Associates Architects and Planners, Bismarck, for a report on the status of the renovation of the House and Senate chambers. Mr. Tvenge said the chairs will be delivered the third week of July, and carpet installation should be completed in the Senate chamber by July 24 and in the House chamber by August 4. He said the main delay in completing the project has been carpet selection. He said the completion of the cabinets to be located on each side of the front desk in each chamber has been delayed due to the need to select wood that matches existing wood as closely as possible.

### **LEGISLATIVE COMPENSATION COMMISSION DISCUSSION**

Chairman Dorso recognized Mr. Harold Trautman, Chairman, Legislative Compensation Commission, for

a review of discussions by members of the commission. Mr. Trautman said the commission had met earlier in the day and approved a motion to recommend legislation to increase legislators' interim per diem by \$12.50 to \$75, which is a level similar to that of surrounding states.

### **LEGISLATIVE SESSION ARRANGEMENTS**

#### **Legislators' Photographs**

The assistant director reviewed the 1996 invitation to bid Legislative Assembly photography services. He said that invitation was prepared based on specifications used by the Photography Committees during the 1995 legislative session and bidders suggested some changes to update the specifications. He said the suggestions were to replace the reference to five proofs with the reference to a number of poses and a number of pictures of each pose. He suggested replacement of the five proofs specification with a specification for two poses and two pictures of each pose. He said another suggestion was to refer to color touchup rather than retouch and color touchup of final pose rather than retouch of final print.

**It was moved by Senator Grindberg, seconded by Representative Gulleston, and carried on a voice vote that the 1998 invitation to bid for the legislative photography contract include the specifications contained in the 1996 invitation to bid but revised to provide for two poses and two pictures of each pose rather than five proofs and to provide for color touchup of the final pose rather than retouch of the final print and the invitation to bid include an option for individual legislators to purchase frames for the 11-inch by 14-inch composite picture.**

### **State of the State Address - State of the Judiciary Address**

The assistant director noted that the number of escort committees was substantially reduced for the state of the state address during the 1997 legislative session. He said the committee traditionally has authorized the Legislative Council staff to contact the Governor with respect to arrangements for the state of the state address to a joint session of the Legislative Assembly on the first legislative day (January 5, 1999). He said the committee also traditionally has authorized the Legislative Council staff to contact the Chief Justice with respect to presentation of a state of the judiciary address to a joint session on the second legislative day (January 6, 1999).

**It was moved by Senator Mathern, seconded by Senator Grindberg, and carried on a voice vote that the Legislative Council staff be requested to contact the Governor with respect to the time for a joint session to hear the state of the state address by the Governor on the first legislative day and to contact the Chief Justice to make**

plans for the state of the judiciary address on the second legislative day.

### Tribal-State Relationship Message

The assistant director described the past process whereby a representative of the Indian tribes has been invited to address each house of the Legislative Assembly on the third legislative day of each session since 1987. He said the tribal-state of the relationship message has included the Flag Song ceremony for each house in recent sessions. He inquired whether the committee desired to extend an invitation to the tribes for a tribal-state relationship message during the 1999 legislative session.

**It was moved by Senator Grindberg, seconded by Senator Mathern, and carried on a voice vote that the Legislative Council staff be requested to invite a representative of the Indian tribes to address each house of the Legislative Assembly on the third legislative day, similar to the procedures followed in prior sessions, and that the invitation include notice that acknowledgment must be received before November 11 to allow scheduling of the presentations.**

### Legislative Compensation Commission Report

The assistant director described the committee's traditional responsibility of indicating a preference for a report by the chairman of the Legislative Compensation Commission on the third legislative day to each house of the Legislative Assembly. He said the report of the commission was given in written form to the presiding officers during the 1993, 1995, and 1997 legislative sessions. He inquired whether the committee desired an oral report to each house or a written report to the presiding officer of each house.

**It was moved by Senator Nelson, seconded by Senator Krauter, and carried on a voice vote that the Legislative Council staff be requested to notify the chairman of the Legislative Compensation Commission that a written report of that commission should be submitted to the presiding officer of each house in lieu of an oral report to each house.**

### Legislative Tour Guide Program

The assistant director said for the past 11 legislative sessions there has been a tour guide program to coordinate tours by high school groups during the legislative session. He inquired whether the committee wished to continue this program during the 1999 legislative session.

**It was moved by Senator Nelson, seconded by Senator Mathern, and carried on a voice vote that the Legislative Council staff be authorized to hire a tour guide and an assistant tour guide, if necessary, during the 1999 legislative session to be paid from Legislative Assembly funds.**

### Legislative Intern Stipend and Program Director

The director said the committee had authorized the director to review the stipend for the legislative intern program and make any recommendations for change to the committee. He suggested the stipend be increased from \$4,725 to \$5,075 (which equals an increase from \$1,350 per month to \$1,450 per month).

**It was moved by Representative Gulleson, seconded by Senator Grindberg, and carried on a roll call vote that the stipend for a legislative intern be \$5,075 (or \$1,450 per month) and that legislative interns be entitled to travel, lodging, and meals reimbursement from Legislative Assembly funds for any time spent away from their institutions for legislative internship training before the session.** Representatives Dorso, Gulleson, and Timm, and Senators Grindberg, Krauter, and Mathern voted "aye." Senator Nelson voted "nay."

The assistant director noted the committee had approved continuation of the legislative intern program for the 1999 legislative session and traditionally has authorized employment of the director of interns to be paid from Legislative Assembly funds.

**It was moved by Senator Grindberg, seconded by Representative Timm, and carried on a voice vote that the director of the Legislative Council be authorized to employ a director of interns to be paid from Legislative Assembly funds.**

### Chaplaincy Program

The assistant director described the chaplaincy program in effect during the 1997 legislative session. He said the Bismarck and Mandan Ministerial Associations traditionally have been asked to schedule chaplains 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 ministerial associations would be followed. He said this letter is included in the packet of informational materials distributed to legislators during the organizational session.

**It was moved by Senator Mathern, seconded by Senator Grindberg, and carried on a voice vote that the Bismarck and Mandan Ministerial Associations be invited to schedule chaplains for opening prayers for both houses each day of the 1999 session, and that the Legislative Council staff be requested to distribute a letter to all legislators giving them until December 31 to schedule out-of-town clergy to give the opening prayer any day of the session, after which the schedule would be followed and preemption would not take place.**

### Agricultural Commodity Promotion Groups Report

The assistant director said North Dakota Century Code (NDCC) Section 4-24-10 requires 12 agricultural commodity promotion groups to file a uniform report at a public hearing before the standing Agriculture Committee of each house. He said the report must be filed between the first and tenth legislative days. In 1996, he said, the Legislative Management Committee designated Thursday, January 9 (the fourth legislative day), as the day for a joint hearing by the Senate and House Agriculture Committees to receive this report.

**It was moved by Senator Nelson, seconded by Representative Timm, and carried on a voice vote that Friday, January 8, 1999 (the fourth legislative day), be designated as the day for a joint hearing by the Senate and House Agriculture Committees to receive the report of the agricultural commodity promotion groups under NDCC Section 4-24-10.**

### LEGISLATIVE REAPPORTIONMENT

At the request of Chairman Dorso, Mr. John Bjornson, Counsel, Legislative Council, reviewed a memorandum entitled *Legislative Redistricting Activities Before the Adoption of Redistricting Plans in 1981 and 1991*. The memorandum reports that the 1989 Legislative Assembly passed a study resolution directing a study of the state of the law with respect to the legislative apportionment, and the Legislative Council participated in Phase 2 of the census block boundary project during the 1989-90 interim.

Representative Dorso requested the Legislative Council staff be requested to prepare a proposed resolution draft directing a Legislative Council study of the state of the law with respect to legislative redistricting for consideration by the Legislative Management Committee and recommendation to the Legislative Council for introduction during the 1999 legislative session.

Mr. Bjornson said a question to be determined is whether the state should participate in Phase 2 of the census 2000 redistricting data program. He said participation requires placement of precinct boundaries and legislative district boundaries on maps of the

entire state. After those maps are received by the census 2000 redistricting data office, he said, the Census Bureau would provide demographic information for those precincts and legislative districts as part of the 2000 census. He suggested this information is not that relevant to North Dakota because legislative districts are based on census blocks, census tracts, and political subdivisions, and that information would be available from the 2000 census without participating in the program.

In response to a question from Senator Mather, Mr. Bjornson said the information on precinct and legislative district levels would be valuable if North Dakota started from the precinct level and up in determining legislative districts, much as large states do. He said the last two legislative districting plans, however, were started with census blocks and after the legislative districts were developed and approved by the Legislative Assembly, local subdivisions redrew their precincts to correspond to the districts.

**It was moved by Representative Timm, seconded by Senator Nelson, and carried on a roll call vote that the committee, on behalf of the legislative branch, decline to participate in Phase 2 of the census 2000 redistricting data program and that the redistricting data office be informed of this decision.** Representatives Dorso, Gulleson, and Timm and Senators Grindberg, Krauter, Mather, and Nelson voted "aye." No negative votes were cast.

No further business appearing, Chairman Dorso adjourned the meeting at 1:43 p.m.

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Jay E. Buringrud  
Assistant Director

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John D. Olsrud  
Director

ATTACH:2