

NORTH DAKOTA LEGISLATIVE COUNCIL

Minutes of the

LEGISLATIVE MANAGEMENT COMMITTEE

Monday, June 23, 1997
Roughrider Room, State Capitol
Bismarck, North Dakota

Representative John Dorso, Chairman, called the meeting to order at 9:04 a.m.

Members present: Representatives John Dorso, Merle Boucher, Tom D. Freier; Senators Aaron Krauter, Tim Mathern, Gary J. Nelson, David E. Nething

Members absent: Representatives Pam Gulleon, William E. Kretschmar; Senator William G. Goetz

Others present: See attached appendix
Chairman Dorso announced he had appointed Senator Nelson as vice chairman of the committee.

SUPPLEMENTARY RULES OF OPERATION AND PROCEDURE

At the request of Chairman Dorso, Mr. Jay E. Buringrud, Assistant Director of the Legislative Council, reviewed the *Supplementary Rules of Operation and Procedure of the North Dakota Legislative Council*. He said the Legislative Council had requested the Legislative Council staff to review the rules to determine whether any changes should be made to reflect statutory or procedural changes since the rules were last revised in October 1987.

PERSONAL COMPUTERS FOR LEGISLATORS

Review of LAWS System

At the request of Chairman Dorso, the assistant director reviewed the development of the Legislator's Automated Work Station (LAWS) system from 1989 (when four mainframe terminals were provided in each house) through the 1997 legislative session when 75 personal computers (50 in the House and 25 in the Senate) were provided to legislators.

The assistant director said plans for providing information to legislators during this interim included e-mail notice of interim committee meetings, e-mail notification of the availability of meeting agendas and minutes by replication from the Lotus Notes data base, distribution of memorandums by e-mail upon request by legislators, and publication of a legislative information system CD-ROM.

Legislative Information CD-ROM

The assistant director said the Legislative Council staff is developing software necessary for including bill status information, full text of all versions of House and Senate bills and resolutions, full text of daily journals, and the Session Laws on CD-ROM. He proposed that 400 CD-ROMs be prepared and be distributed without charge to legislators, the Legislative Council staff, and the subscribers to the on-line bill status system. He said this would leave approximately 153 discs available for sale and suggested a sale price of \$10 per disc which would include a jewel case containing the disc.

In response to a question from Senator Mathern, the assistant director said the Legislative Council staff developed this proposal as a means of providing information to on-line subscribers and legislators after the on-line system is "taken down" after June 30, 1997. He said access to the on-line system has always been for a fee, and the subscription fee of \$400 during the 1997 session was for access for six months only. If access were continued after June 30, he said, there would be a question of whether a subscriber would have to pay the monthly access charge of approximately \$19.50 and a per second cpu charge of approximately 40 cents.

In response to a question from Senator Krauter, the assistant director said the CD-ROM would be keyword searchable. In the future, he said, the CD-ROM should be available within two weeks after chapter numbers are assigned for the Session Laws.

It was moved by Senator Nelson, seconded by Senator Mathern, and carried on a roll call vote that the committee authorize the manufacture of 400 North Dakota legislative information system discs for distribution free to legislators, Legislative Council staff use, and subscribers to the on-line bill status information system, and that the remaining discs be available for sale at a price of \$10 each. Representatives Dorso, Boucher, and Freier and Senators Krauter, Mathern, Nelson, and Nething voted "aye." No negative votes were cast.

Policy on Personal Use of Computers by Legislators

At the request of Chairman Dorso, the assistant director reviewed a memorandum entitled *Proposed Policy on Personal Use of Personal Computers by Legislators*. He said the proposal was based on the enactment of North Dakota Century Code (NDCC) Section 54-03-26, which provides that a member of the Legislative Assembly who is assigned a computer may use that computer and its associated equipment and software for any use that is not in violation of NDCC Section 16.1-10-02 upon payment of a computer usage fee established by the Legislative Council. He said the Legislative Council delegated this authority to the interim Legislative Management Committee.

The assistant director reviewed the proposed policy. The proposal suggested a fee of \$10 per month contingent upon the legislator accepting and complying with eight conditions of use (1) not using the computer for any political purpose prohibited by Section 16.1-10-02, (2) recognizing that sufficient capacity needs to remain on the computer for software necessary to access North Dakota's legislative information system, (3) recognizing that legislative software cannot be removed and capacity must remain for upgrades to that software, (4) recognizing that any personal use not require additional memory or disc space, (5) recognizing that the legislator is responsible for the cost of installing and maintaining nonlegislative software, (6) recognizing that the Legislative Council staff is not responsible for installing or supporting nonlegislative software, (7) recognizing that the Legislative Council may incur costs in reinstalling legislative software that does not function properly as the result of nonlegislative software, and (8) recognizing that the Legislative Council staff may remove any nonlegislative software in order to properly install or operate legislative software.

Senator Nelson inquired why the policy required the legislator to recognize that the Legislative Council may incur costs in reinstalling legislative software rather than pay for those costs. Mr. John D. Olsrud, Director of the Legislative Council, said the determination of what causes a problem in legislative software is often inexact, and the Legislative Council staff could be placed in a difficult position when it may be open to argument whether nonlegislative software was the cause of the problem.

Representative Dorso agreed with Senator Nelson that legislators should be responsible or at least should be aware of the fact that they may be responsible for fixing problems caused by nonlegislative software.

In response to a question from Senator Mathern, the assistant director said this policy would be in addition to the policy on use of personal computers by legislators adopted by the Legislative Management

Committee in October 1995 and accepted by every legislator assigned a personal computer. Senator Mathern suggested that if the Legislative Council staff approves installation of nonlegislative software (under the original policy), that legislator should incur no charge (under the personal use policy), but if software is installed without approval, then a charge could be assessed to that legislator for fixing legislative software. He said there should be two agreements that a legislator could sign-one for private use and one for official use.

Senator Nelson suggested that both policies be incorporated into one form, with the legislator having the option to agree to pay a fee for personal use.

It was moved by Senator Nelson, seconded by Senator Nething, and carried on a voice vote that the proposed policy be amended to provide that condition No. 7 be reworded to provide that a legislator recognize that the legislator may be responsible for paying for the cost of reinstalling legislative software that does not function properly as a result of loading nonlegislative software on the computer.

It was moved by Representative Boucher, seconded by Senator Mathern, and carried on a roll call vote that the committee approve the proposed policy on personal use of personal computers by legislators, as amended; that the monthly fee be \$10; and that this policy and the policy on use of personal computers by legislators be combined into one policy with an option of selecting the option on personal use of personal computers. Representatives Dorso, Boucher, and Freier and Senators Krauter, Mathern, Nelson, and Nething voted "aye." No negative votes were cast. Senator Nelson suggested that the fee be set up as a deduction from the monthly or semiannual compensation of a legislator selecting the personal use option.

1-800 Modem Access to the Capitol

Chairman Dorso called on Mr. Jim Heck, Director of the Information Services Division (ISD), Office of Management and Budget, for an update on the status of the dial-in access to data network services in the State Capitol. Mr. Heck reviewed the scenarios of routing a 1-800 call from a local user to the Legislative Council's local area network. He said the basic system is that the number is routed to the local telephone company, then to an AT&T computer switch, then to Bismarck (through whatever route is the fastest) directly to the ISD switch, and then to the Legislative Council's local area network. He said if the long-distance carrier is AT&T or MCI, the calls are routed directly to the ISD switch. He said if the call originates from the west LATA in North Dakota, there is no individual long-distance carrier involved. He emphasized that this network is voice grade, rather than data grade, and thus will allow a call from

anywhere in the country. He said U S West guarantees only a 9.6 modem speed over a voice grade line.

Mr. Heck noted that Senator Nelson and other legislators primarily in eastern North Dakota have had difficulty in maintaining the 1-800 connection. He said ISD personnel have been to Senator Nelson's home and the cause of the failures cannot be pinpointed. He said it appears there are fewer problems with calls originating from western North Dakota.

Senator Krauter said he has not been disconnected while using the 1-800 number. Representative Dorso said he has turned his modem speed down to 19.2 to stay connected. Ms. Maryann Trauger, Data Processing Coordinator, Legislative Council, said the first thing the Legislative Council staff requests when a legislator notifies the staff of connection problems is that the legislator turn the modem speed down. She said she has not been notified by any legislator from the western part of the state of connection problems after the speed has been lowered.

In response to a question from Representative Dorso, Ms. Trauger said to her knowledge there is nothing wrong with the Legislative Council's network or the modems in the legislators' computers.

Mr. Heck said a short-term fix is to use the data links from county courthouses and the universities. He said the cost of providing enough lines to allow unlimited use of the direct data link line by several users would be from \$50,000 to \$60,000. He said ISD wants to make the 1-800 access work, but it appears that ISD will be going to a data link on a short-term basis to address 1-800 access problems experienced by legislators. Senator Mathern said a valuable feature of a 1-800 line is standard accessibility from anywhere in the country.

Mr. Heck said another option may be IBM's Advantis Network, which is primarily a data network.

Representative Dorso said there is a misunderstanding as to what U S West and AT&T provide for data connections in North Dakota. He said deregulation was supposed to result in upgrading North Dakota's telecommunications network. He said it appears deregulation and the supposedly better network still results in use of dedicated data lines rather than the regular telecommunications system.

Chairman Dorso requested that the Legislative Council staff and ISD personnel continue to work on resolving the problems in using the 1-800 number and take whatever action is necessary to provide uninterrupted connections to the Legislative Council's local area network and that representatives from U S West and AT&T be invited to attend the next committee meeting and describe their attempts at resolving the problem.

Senator Mathern requested information be provided on the cost of a 1-800 data line for legislative use. Representative Dorso said one solution should not be to the exclusion of others but that information be provided on any feasible means of fixing or resolving these problems, whether that be through the IBM Advantis Network, AT&T, or U S West.

Bill Status System

Representative Dorso requested that a representative of North Dakota State University be invited to describe that institution's legislative tracking service, plans to improve that service, and the relationship of that service to the Internet service the Legislative Council provides.

Representative Freier inquired as to complaints concerning use of the on-line bill status system during the 1997 session. The assistant director said a lobbyist had complained about the unavailability of bill text in mid-January, but when he had contacted that lobbyist's secretary, she said she had been printing bills for at least a week without a problem. He said some people also experienced problems in using the public access terminal at the information kiosk. He said that computer was often signed off the bill status system because people would use the computer without following instructions or understanding how the system worked.

Mr. Heck said one problem they discovered was that a subscriber had a "firewall" to protect the subscriber's system which caused difficulty in accessing the bill status system, and the subscriber refused to modify the firewall. Another complaint, he said, was the double system whereby text was obtained from one system and actions were obtained from another. The security system developed by the Legislative Council to provide Internet access to a mainframe system and a personal computer-based system is state of the art and has attracted the interest of large corporations using mainframe computers. He said Mr. Pat Burns, Northshore-Milner, a consultant to the Legislative Council, has been describing this system to corporations around the country. Mr. Heck referred to an e-mail message sent by Mr. Burns while he was in Houston noting that he has not had any problems with the 1-800 number while he was demonstrating the system in Houston.

Personal Computer Acquisition

The assistant director said 75 legislators have computers and 72 do not. Rather than acquiring 72 computers, he said, legislators without computers could be surveyed to determine whether they wish to be assigned a computer. As a result of this survey, he said, computers could be acquired for those legislators wishing to be assigned one. He proposed that the computers be acquired as soon as possible so

that they could be prepared for distribution to legislators as soon as possible. He noted that under the policy established last interim, the members of the Legislative Management Committee would receive the newest computers and the computers the committee members relinquished, as well as the remaining new computers, would be distributed to the legislators without computers. He suggested that eight computers be distributed every two weeks beginning August 11. He said this would allow legislators to be trained on the use of the organizer, e-mail, Internet, and word processing software. He said refresher training could be scheduled for the alternate weeks for any legislator who requested it. Thus, he said, training would be provided on a weekly basis beginning August 11 and continue through November.

Representative Dorso said acquiring only the computers necessary would allow funds budgeted for personal computer acquisition to be used to otherwise improve legislative information and data processing.

Senator Mathern suggested that legislators be allowed to lease or purchase their own computers and the Legislative Assembly would provide an allowance up to a certain amount per month for that purpose. He said this would allow legislators to select any computers they prefer and would make legislators personally responsible for the computers and any software installed in the computers. He suggested that this could provide for experimentation as pilot programs with small groups of legislators.

At the request of Chairman Dorso, the assistant director reviewed a data sheet comparing the IBM ThinkPad 760E, IBM ThinkPad 760X, Dell Latitude LM, Gateway Solo 2200, Gateway Solo 9100, IBM ThinkPad 385, Compaq Presario 1080, Toshiba Tecra 740CDT, and Micron Transport. He said the IBM 760ED, the most recently acquired notebook computer for legislators, was used as the base against which any newly acquired computer should compete. The assistant director said representatives of Gateway 2000, IBM, Toshiba, and Dell were requested to provide information to assist the committee in making a decision as to the make of computer to be acquired for legislators. He said the representative of Dell declined to appear.

Gateway Solo 9100

Chairman Dorso called upon Mr. Dan Sabus, Account Representative, Gateway 2000, North Sioux City, South Dakota. Mr. Sabus distributed material describing Gateway 2000, a copy of which is on file in the Legislative Council office. Mr. Sabus said Gateway 2000 is a direct marketer. He emphasized the 24-hour toll-free support provided by corporate-level technicians of Gateway 2000. He introduced

Mr. Mark Morgan, portable specialist, for a description of the Gateway Solo 9100.

Mr. Morgan described the features of the Gateway Solo 9100 as the 13.3" monitor, Pentium 166 MMX processor, the ability to be expanded to 192 megabytes (MB) of memory, and a combination CD-ROM/floppy disk module. He said the key to the Gateway Solo 9100 is its modularity and ease in replacement of the hard drive, CD/floppy drive, and battery.

In response to a question from Senator Mathern, Mr. Sabus said the one-year warranty can be extended to a three-year parts warranty upon payment of a \$100 fee, and a VIP Express warranty, which provides for a 24-hour turnaround, is available for \$100.

In response to a question from Representative Dorso, Mr. Sabus said the state price is \$4,876 for the Gateway Solo 9100, as configured on the data sheet distributed by the assistant director. He said a combination card could be purchased for \$250 which would save \$79 over the quoted price, and thus the total price would be \$4,797.

In response to a question from Senator Nelson, Mr. Morgan said a two gigabyte hard drive is available for \$250.

IBM ThinkPad 380

Chairman Dorso called on Mr. Trevor Distad, Sales Specialist, IBM, Minneapolis, Minnesota, for a description of the IBM ThinkPad 380. Mr. Distad noted that the data sheet describes a ThinkPad 385, but the 380 is the equivalent machine for corporate use.

Mr. Distad said the factors in determining which computer to acquire should include technology, quality, service, warranty, and support. He said these factors are difficult to quantify in a table. He said IBM representatives reviewed the needs of legislators and how legislators use computers and selected the IBM ThinkPad 380. He said the features of the 380 include its 12.1" monitor, Pentium 150 MMX processor, combination CD-ROM/floppy disk module, and a keyboard lockdown feature. He said the price for a ThinkPad 380 with 32 MB of memory, a 33.6 modem, and a carrying case is \$4,095. He said an additional 16 MB of memory could be provided for \$100 and a two-year EasyServ Plus warranty contract could be provided for \$198, for a total price of \$4,393. He said a two-year EasyServ On-Site 48-hour service contract is available for \$98.

In response to a question from Representative Dorso, Ms. Trauger said 32 MB of memory is the minimum required now, but 48 MB should be viewed as the preferred minimum to allow for planned enhancements.

In response to a question from Representative Freier, Mr. Distad said the main features of the ThinkPad 760 versus the ThinkPad 380 is the 1024 x 768 resolution versus 800 x 600 resolution, the modularity of the 760, and the telephony software (which allows the modem speed to be increased beyond that originally provided) versus a pc card.

Toshiba Tecra 740CDT

Chairman Dorso called on Mr. Mark Hanson, Account Manager, Corporate Technologies, Fargo, North Dakota, for a description of the Toshiba Tecra 740CDT. Mr. Hanson said the features of the Toshiba include its modularity, 13.3" active matrix screen, Pentium 166 MMX processor, and 24-hour, seven-day per week support. He said the state price for this machine would be \$6,199 without Lotus Notes and \$6,408 with Lotus Notes. He said a lease is available through the IBM Credit Corporation on a 24/12-month basis. He said the rate would be \$34.12 per thousand dollar equipment purchase for the first 24 months and \$12.49 per thousand dollar equipment purchase for the 25th through 36th month.

Discussion

At the request of Chairman Dorso, the assistant director summarized the features of the IBM ThinkPad 380 and the Gateway Solo 9100. He said the IBM 380 includes onsite service within 48 hours, provides a three-year EasyServ 48-hour turnaround, and weighs 6.9 pounds versus the 8.6 pounds of the Gateway Solo 9100. He said a base price of \$4,393 would result in an IBM Credit Corporation lease price of \$150.13 per month for 24 months and \$54.96 per month for 12 months with a fair market buyout option at the end of 36 months.

The assistant director said the Gateway Solo 9100 provides a Pentium 166 processor versus a Pentium 150, memory can be upgraded to 192 MB versus 80 MB, the CD drive is 10x rather than 8x, the display is 13.3" active matrix versus 12.1", the resolution is 1024 x 768 (the same as the ThinkPad 760E) versus 800 x 600, and the hard drive is modular. He said the price of \$4,997, which includes a three-year parts warranty and the VIP Express warranty, would result in an AT&T Capital Corporation lease price of \$142 per month for 36 months and a fair market value buyout or \$152.76 per month for 36 months and a \$1 buyout.

Representative Dorso noted that NDCC Section 54-27-21.1 requires any state agency that acquires the use of an asset as a result of a lease arrangement to prepare a written analysis documenting the decision to acquire the use of the asset, and the agency is to make the analysis available to the auditor for review during the audit for the

fiscal period during which the decision was made. Under NDCC Section 54-44.1-06(8), budget data prepared by the director of the budget must include a list of every individual leased asset with a value of at least \$50,000 and every group of leased assets comprising a single system with a combined value of at least \$50,000 acquired through a capital or operating lease arrangement by a state agency.

The assistant director said the 60 IBM ThinkPad 755CD computers were purchased because of the need to have those computers delivered before July 1, 1995. He said 15 IBM ThinkPad 760ED computers were acquired by the 24/36 month lease arrangement to allow upgrades in technology in 24 months, to provide upgrade flexibility, to reduce investment, to provide for responsibility of disposal of obsolete machines, and to minimize loss liability for leased equipment. Depending on the number of legislators who are assigned personal computers, he said, funds may be available to purchase rather than lease the computers and that option may be feasible if a leasing arrangement does not result in the possibility of a technological upgrade after 24 months at a cost lower than the purchase price.

It was moved by Senator Nelson, seconded by Representative Freier, and carried on a roll call vote that personal computers acquired for legislators be acquired through a lease arrangement. Representatives Dorso, Boucher, and Freier and Senators Krauter, Mathern, Nelson, and Nething voted "aye." No negative votes were cast.

It was moved by Senator Nething, seconded by Senator Krauter, and carried on a roll call vote that the Legislative Council chairman and Legislative Council staff review various leasing options to determine the best arrangement for the legislative branch and that the Legislative Council chairman be authorized to approve that arrangement. Representatives Dorso, Boucher, and Freier and Senators Krauter, Mathern, Nelson, and Nething voted "aye." No negative votes were cast.

Chairman Dorso asked for committee members' preferences with respect to the computers demonstrated to the committee.

Senator Krauter inquired whether acquiring computers other than IBM ThinkPads would cause support problems. Ms. Trauger said the Legislative Council computer support staff is a small staff, and the concern is providing support to legislators. She said it will take time to become acquainted with a different brand of computer, but the major emphasis is ensuring the system runs smoothly. She emphasized that the support received by the Legislative Council staff and the Legislative Assembly from IBM has been very valuable.

Representative Freier said he prefers the Gateway Solo 9100 because of its removable hard drive and

the ease in obtaining and installing an additional hard drive for personal use. Ms. Trauger suggested that any hard drive acquired for personal use may cause legislators to not use systems otherwise available for legislative use, e.g., Lotus SmartSuite. She said she hopes that any legislator with a separate hard drive would continue to use the legislative software during the interim so that a lengthy learning curve would not be required during the session.

Chairman Dorso asked each member to indicate a preference. Representatives Dorso and Freier and Senators Krauter, Mathern, Nelson, and Nething indicated a preference for the Gateway Solo 9100; Representative Boucher indicated a preference for the IBM ThinkPad 380.

It was moved by Representative Freier, seconded by Representative Boucher, and carried on a roll call vote that the Gateway Solo 9100 be selected as the computer to be acquired for legislators. Representatives Dorso, Boucher, and Freier and Senators Krauter, Mathern, Nelson, and Nething voted "aye." No negative votes were cast.

LEGISLATIVE CHAMBER USE AND MEMORIAL HALL DISPLAYS

At the request of Chairman Dorso, the assistant director reviewed the *Guidelines for Use of Legislative Chambers and Displays in Memorial Hall, North Dakota State Capitol*. He said the guidelines require the Legislative Management Committee to review permanent displays in Memorial Hall annually. He said there are no permanent displays in Memorial Hall. With respect to guidelines on the use of legislative chambers, he said, the chambers may be used subject to six conditions.

The assistant director presented a request from the North Dakota Intercollegiate State Legislature to use the chambers and five committee rooms on October 23-26, 1997, and a request from the North Dakota High School Activities Association to use the chambers and nine committee rooms on November 6-7, 1997, for the 1997 State Student Congress.

In response to a question from Senator Nething, the director said the request of the North Dakota High School Activities Association is not for a mock legislative session and thus does not technically fit within the guidelines. He said the Legislative Management Committee has approved use of the chambers by the High School Activities Association for a student congress in the past.

It was moved by Senator Nething, seconded by Representative Boucher, and carried on a voice vote that the committee approve both requests for use of the chambers and committee rooms.

COMMITTEE ROOM DISPLAYS

At the request of Chairman Dorso, the assistant director reviewed a proposal from the North Dakota Dry Bean Council for placement of a framed Northarvest Print in the Harvest Room.

Senator Nelson said the offer was welcome, but any print should match the theme of the room. The assistant director said the displays were originally prepared by a consultant to the Legislative Council who worked closely with the State Historical Society. He said if the committee approves this request, the Legislative Council staff would work with that person or a representative of the State Historical Society to ensure continuity in the displays. Senator Nething said it may be good to change the pictures in the committee rooms as offers are received.

It was moved by Senator Nelson, seconded by Senator Mathern, and carried on a voice vote that the committee accept the offer of the North Dakota Dry Bean Council, subject to approval of the Northarvest Print by the Legislative Council staff.

LEGISLATIVE RULES

At the request of Chairman Dorso, the assistant director reviewed a memorandum entitled *Legislative Rules and Procedures - Questions and Concerns - 1997 Legislative Session*. The assistant director said the listed questions and concerns were those brought to the attention of the Legislative Council staff during the session.

It was moved by Senator Nelson, seconded by Senator Nething, and carried on a voice vote that the Legislative Council staff be requested to prepare appropriate rules changes or research memorandums addressing the questions and concerns identified in the memorandum for presentation to the committee at future meetings.

The assistant director said an issue not described in the memorandum is the effect of agencies requesting legislators to be listed as sponsors of agency bills. He said this practice results in the agencies determining the house of introduction and this could lead to an overbalance of prefiled bills in one house because agencies are not aware of other prefiled bills and are not cognizant of the need to balance prefiled bills between the houses. Representative Dorso requested the Legislative Council staff to prepare a legislative rules amendment addressing this issue.

Representative Dorso requested the Legislative Council staff to prepare a rules amendment addressing the issue of minority reports as discussed with the Legislative Council staff during the 1997 legislative session.

PRIVATIZATION OF SECRETARIAL SERVICES AND BILL AND JOURNAL ROOM

At the request of Chairman Dorso, the assistant director reviewed the cost of the third-party contracts to provide secretarial services and bill and journal room services during the 1997 legislative session. During the 1993 legislative session, he said, the Senate and House employed the equivalent of 10.5 stenographers and typists at a cost of \$56,629.20, not including the cost of the two chief stenographers and payroll clerks (\$14,326.59). During the 1995 legislative session, he said, the Legislative Assembly contracted with Jan's Secretarial Service, which provided nine secretaries and a supervisor at a total cost of \$46,053.50. During the 1997 legislative session, he said, A.S.A.P. Secretarial Service provided seven employees and one supervisor at a total cost of \$41,462.50.

The assistant director said the Legislative Assembly employed 12 persons to staff the bill and journal room during the 1995 session at a cost of \$57,170.61. During the 1997 legislative session, he said, bill and journal room services were provided by Quality Printing at a total cost of \$39,160.

The assistant director said A.S.A.P. Secretarial Service has requested additional compensation. He read a letter from Ms. Pat Heidt, A.S.A.P. Secretarial Service, noting that the secretarial service had expended over 230 hours in transcribing 40 tapes of the House Industry, Business and Labor Committee, that this caused extreme stress on the employees because of the lack of training as to what is relevant in a committee meeting, and that the contract did not specify that transcribing committee tapes was part of the work expected of the secretarial service contractor. Ms. Heidt requested payment of \$10 per hour for 226.9 hours (\$2,269).

It was moved by Senator Nething and seconded by Senator Mathern that the committee authorize payment of \$2,269, as requested by A.S.A.P. Secretarial Service. Senator Nelson said this did not appear to represent overtime hours and the transcription was apparently done within the normal working hours of the secretarial service employees. **Senator Nething withdrew his motion.**

Senator Mathern said any additional work outside the contract with the secretarial service should be reimbursed. He said whether the contractor incurred overtime should not be the issue because committee clerks did not prepare the minutes even though they were paid for their committee clerk work.

Senator Nelson said there were times the secretarial service was not busy and this project was primarily a fill project, which did not appear to require overtime. Representative Dorso suggested that information be requested from A.S.A.P.

Secretarial Service as to whether employees were paid overtime for transcribing those tapes.

Representative Dorso said the Legislative Assembly is part time and with the movement to technology, employees need to be flexible in their work. He said this was accomplished by the employment resolution, which identified legislative assistants rather than specific job titles. Thus, he said, employees should be flexible enough to do the work where needed rather than complain about being assigned "other" work.

It was moved by Senator Nelson, seconded by Senator Krauter, and carried on a roll call vote that the Legislative Council staff be requested to contact A.S.A.P. Secretarial Service for information on whether employees were paid additional pay for transcribing committee tapes and, if so, for documentation or justification as to the additional time and expense; and, in light of the deadline for the end of the biennium, the Legislative Management Committee chairman be authorized to respond to any information provided by the secretarial service and to authorize payment as appropriate. Representatives Dorso, Boucher, and Freier and Senators Krauter, Mathern, Nelson, and Nething voted "aye." No negative votes were cast.

LEGISLATIVE SESSION ARRANGEMENTS

Senator Krauter suggested that training for legislators on personal computers be provided in a format different from that provided during the 1997 session. He said he believes the training can be improved. Representative Dorso said the House chamber should not be used as a training area because of the interruptions caused by answering telephones and responding to lobbyists or others in the chamber.

Representative Dorso said the presiding officers should be encouraged to hold a mock floor session for freshmen legislators and provide an explanation of proper protocol and hands-on experience with the microphones.

No further business appearing, Chairman Dorso adjourned the meeting at 2:55 p.m.

Jay E. Buringrud
Assistant Director

John D. Olsrud
Director

ATTACH:1