

NORTH DAKOTA LEGISLATIVE COUNCIL

Minutes of the

LEGISLATIVE MANAGEMENT COMMITTEE

Thursday, October 9, 1997
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, Tom D. Freier, Pam Gulleason, William E. Kretschmar; Senators Aaron Krauter, Gary J. Nelson, David E. Nething

Member absent: Senator Tim Mathern

Others present: See Appendix A

APPROVAL OF MINUTES

It was moved by Representative Kretschmar, seconded by Senator Nething, and carried on a voice vote that the minutes of the June 23, 1997, meeting be approved as mailed.

LEGISLATIVE TELEPHONE AND SERVER ACCESS

Pay Telephones in the Legislative Wing

At the request of Chairman Dorso, Mr. Jim Heck, Director, Information Services Division, Office of Management and Budget, described the pay phone service provided in the State Capitol, particularly the legislative wing. A copy of his presentation is attached as Appendix B.

Mr. Heck said U S West has installed the pay phone service at no cost to the state and attempts to recover its cost from usage of the service. He said there are three pay phones on each side of the hall at the west end of the Capitol on the ground floor, three pay phones across from the legislative supply room behind the Senate chamber, three pay phones located across the hall from the Harvest Room, and two pay phones located adjacent to the Sakakawea Room. He said the only pay phones that recover the cost are the two phones across from the Harvest Room and one pay phone adjacent to the cafeteria in the judicial wing. He said U S West has notified his office that they plan to discontinue service on those phones that do not recover costs.

Mr. Heck described various options for retaining the pay phones and covering the losses incurred by U S West or for removing various numbers of pay phones. He recommended removing the revenue losing pay phones, leaving the enclosures to avoid

damage to the walls, and reviewing the feasibility of installing some pay phones just before the next legislative session.

In response to a question from Representative Freier, Mr. Heck said the cost per pay phone per month is \$40. Even if the number of pay phones is reduced, he said, he did not think the remaining pay phones would receive enough use to become revenue-producing other than the current pay phones that are revenue-producing.

In response to a question from Representative Boucher, Mr. Heck said he did not know the extent to which the use of the pay phones differed during the session as compared to the interim. Representative Dorso said he has seen people using the pay phones located across from the Harvest Room and one or two of the pay phones located adjacent to the press room. Senator Nething said he uses the pay phones once in a while.

In response to a question from Representative Dorso, Mr. Heck said the expense of converting the pay phones to regular phones that allow only local and credit card service depends on the wiring necessary to connect those areas to the telephone switch in the Information Services Division.

It was moved by Representative Boucher, seconded by Senator Nelson, and carried on a voice vote that the Legislative Management Committee recommend to the Information Services Division that with respect to pay phones in the legislative wing, the pay phones and TDD phone across from the Harvest Room be retained, that one pay phone in the west area on the ground floor be retained, and that the remaining pay phones in or adjacent to legislative areas be removed.

Dial-In Network Service

Information Services Division 1-800 Tests

At the request of Chairman Dorso, Mr. Heck reviewed the status of the dial-in network service legislators use to obtain access to the legislative branch server. A copy of his presentation is attached as Appendix C. He reviewed the components necessary for completing a successful dial-up connection--

the modem and communications software, the wiring at the location where the dial-up is originating, the circuit from the dial-up location to a central office (usually U S West or an independent telephone company), transfer of the call from the telephone company to the 1-800 service contracted by the division with AT&T, delivery of that call to the division's equipment in the Capitol, wiring in the Capitol and delivery to the server, and the application running on the server. As a result of extensive testing, he said, they have determined that the application is solid. He said the new level of software loaded on the equipment in the Information Services Division was intermittently failing and the old version was reloaded and the terminating equipment and in-house wiring is not suspect. He said the AT&T circuit was tested and did not fail and the central office equipment of the telephone company appears to be solid. He said the circuit from the dial-up location to the central office appears to be a potential point of failure, the inside wiring at the caller's location may be suspect at times, and the notebook computer's modem may be a potential failure area.

Mr. Heck reviewed various problems discovered when working with individual legislators. He said legislators are using the system because legislators connected for 163 hours of usage in September.

Senator Nelson said a recent problem he has experienced is the extensive amount of time required to replicate documents. What normally took three to four minutes, he said, now takes up to 1.5 hours. He said Senator St. Aubyn has reported the same experience. Ms. Maryann Trauger, Information Technology Coordinator, Legislative Council, said there could be several reasons for such a delay. She said one way to speed up replication of e-mail is to check only the e-mail box on the replication schedule. She said other documents could be replicated at another time.

AT&T 1-800 Service

At the request of Chairman Dorso, Ms. Julie Roswick, Account Representative, AT&T, addressed the committee regarding data connections to the Capitol through the 1-800 line service provided by AT&T. Ms. Roswick distributed a packet of information on AT&T services, a copy of which is on file in the Legislative Council office. She then described AT&T's response to reported modem problems. A copy of the response is attached as Appendix D. She said AT&T monitored the T1 circuits (high speed digital circuits for the transmission of 56 to 65 kilobits per second) and found no problems. She said Datech, which is AT&T's highest level of technical support, used special diagnostic modems and made test calls to the toll-free numbers reported as having problems. She said 15 of the 16 calls connected successfully at speeds ranging from 24.4 to 28.8 kilobits per second.

She said typically a local exchange carrier will not guarantee speeds higher than 9.6 kilobits per second on a dial-up analogue modem over an analogue telephone line. She said test calls were completed and personnel of the Information Services Division and AT&T determined that any connection problem was not caused by the AT&T network.

U S West Local Service

At the request of Chairman Dorso, Mr. Mark Lester, Sales and Service Manager, U S West, described the portion of the network provided through U S West. He said the local circuit is a voice grade circuit, not designed for high speed data transmission. He said U S West guarantees a voice phone call only on such a circuit. He said any desire for data transmission capability from a residence to the AT&T network can be met by subscribing to a data network.

In response to a question from Senator Nelson, Mr. Lester estimated the additional cost to upgrade to a good data line (56 kilobits per second) would be \$86 per month plus a one-time charge of \$500. He said U S West will continue to work with the Information Services Division to try to resolve connection problems experienced by legislators.

Representative Dorso said there may need to be a review of the cost of providing additional data lines to legislators versus the cost of continuing slow speed transmission of data over WATS lines.

USE OF LEGISLATIVE CHAMBERS

At the request of Chairman Dorso, the assistant director reviewed a request from the Silver-Haired Education Association to use the Senate chamber August 4-6, 1998. He said the Silver-Haired Assembly has had 110 delegates participating in the past and has used the House chamber, but in 1998 only one delegate will be selected from each county and thus the request for the Senate chamber rather than the House chamber. He noted that in the past the committee has granted similar requests to use the House chamber by the Silver-Haired Assembly.

It was moved by Senator Nething, seconded by Representative Kretschmar, and carried on a voice vote that the committee approve the request of the Silver-Haired Education Association for use of the Senate chamber August 4-6, 1998.

LEGISLATIVE WING RENOVATION

At the request of Chairman Dorso, the assistant director reviewed legislative renovation projects since renovation of legislative areas began during the 1977-78 interim. He said funds were appropriated in 1989 for remodeling the front desk area in the House chamber, but the project was postponed until the

impact of full computerization of the front desk was determined. He said Mr. Warren Tvenge, Tvenge Associates Architects & Planners, worked with the original renovation project and was asked during the 1997 session to interview House and Senate employees and others located in the front desk area of each chamber for suggestions on improving the workspace to enhance the legislative process.

At the request of Chairman Dorso, Mr. Tvenge reviewed proposed plans for renovating the front desk area in each chamber. Mr. Tvenge distributed a report of meetings with House and Senate employees and proposed plans for remodeling the Senate and House front desk areas. A copy of Mr. Tvenge's presentation and proposed plans is attached as Appendix E.

Mr. Tvenge said for the Senate the proposal is to move the Secretary of the Senate's desk area out two feet while maintaining the end position of that desk area (thus lengthening the sides and increasing the curvature of the front desk area), lowering the front podium for better visibility, building a counter with files on both sides of the front desk area against the wall where printers and file cabinets are currently located, adding a workspace area behind the desk force and in front of the President's desk, and lowering the employees' area by two steps (putting them on the floor level) and the President's area by two steps. He said for the House the proposal includes recessing the Speaker's desk back approximately five feet to give a better view of all members of the chamber, extending both ends of the middle desk to approximately five feet from the wall, lowering the front desk area by two steps (to ground level) for the employees and by two steps (three steps above ground level) for the Speaker, building files on each side of the front desk area along the wall to eliminate the printer stands and file cabinets, eliminating the front row work desk, and recarpeting the front well area. He said a rough estimate of the cost for both chambers is \$76,000.

Chairman Dorso recessed the meeting for a tour of the front desk area in each chamber. The chairman reconvened the meeting after the tour to review suggestions by senators with respect to the Senate area and by representatives with respect to the House area. It was also noted that the foam rubber in the chairs has been deteriorating since they were recovered during the 1979-80 interim, the upholstery in many chairs has become ripped, many chairs needed to be repaired during the session, and the carpet that was installed during the 1979-80 interim is showing wear spots.

In response to a question from Senator Nelson, Mr. Tvenge said his interpretation of guidelines under the Americans with Disabilities Act is that the Capitol is a historic building and when there is a remodeling

project, there should be a good-faith effort to comply with the guidelines. He said full compliance would require ramps in each chamber, but the proposal improves access to work areas by lowering work areas closer to floor level. He said he will review specific requirements with Mr. Rich Gray, ADA/Building Code Manager, Office of Intergovernmental Assistance.

Mr. Tvenge reviewed the suggestions received from committee members for revising the proposed plans during the tour. He said the senators' suggestions were to lower the Secretary's lectern, build a counter with files on each side of the front desk area against the wall where printers and file cabinets are currently located, not lower the employees' area or the President's area, provide an option for moving the Secretary's desk area out two feet, and provide options for new carpeting, new chairs, and recovering the existing chairs. He said the representatives' suggestions were to recess the Speaker's desk back approximately five feet, provide locations and wiring jacks for television camera tripods on each side of the Speaker's level, extend both ends of the middle desk to approximately five feet from the wall, lower the front desk area by two steps (to ground level) for the employees and by two steps (three steps above ground level) for the Speaker, build files on each side of the front desk area along the wall to eliminate the printer stands and file cabinets, eliminate the front row work desk, remove one member's desk on each side of the floor to extend the middle aisles to the front row of desks, and provide cost options for new carpeting, new chairs, recovering chairs, and providing an adjustable lectern for the Chief Clerk.

It was moved by Senator Nelson, seconded by Representative Kretschmar, and carried on a roll call vote that the committee request Mr. Tvenge to prepare more detailed plans for renovating the front desk area in each chamber, based on the suggestions of committee members as reviewed by Mr. Tvenge, and present those plans during the next committee meeting. Representatives Dorso, Boucher, Freier, Gulleson, and Kretschmar and Senators Krauter and Nelson voted "aye." No negative votes were cast.

LEGISLATIVE INFORMATION SERVICES

Legislative Bill Status Information System

At the request of Chairman Dorso, the assistant director reviewed a memorandum entitled *Bill Status System - On-Line Access*. The memorandum reviews the background of the Legislative Council's computerized bill status system from its development in 1969 through the on-line access provided by means of the Internet during the 1997 legislative session. The memorandum proposes a two-part plan to provide bill and journal text, bill status actions, and the subject

index from the bill status system without charge on the legislative branch web page. This information would be updated once a day. Under the second part, bill status information that resides on the mainframe computer and is used to provide real time information to legislators would be provided on a subscription basis to anyone who desires information on this basis. The information would include all information available from the bill status system, e.g., bill and journal text, bill status actions, subject index, tabular bill summaries, daily calendars, and committee hearing schedules. The dual option plan is similar to that provided by the Maryland General Assembly.

The assistant director said North Dakota State University provides a legislative tracking service whereby a subscriber can identify specific measures and information is provided for those measures rather than for all measures. He said that system was developed by University System personnel in cooperation with the Information Services Division and the Legislative Council staff.

Legislative Bill Tracking Service

At the request of Chairman Dorso, Mr. Eddie Dunn, College of Technical Education - North Dakota University System, described the legislative bill tracking service offered by North Dakota State University. Mr. Dunn distributed a description of the legislative bill tracking service and copies of printed materials illustrating the type of information provided during the 1997 session. A copy of this information is on file in the Legislative Council office and the description of the legislative bill tracking system is attached as Appendix F.

Mr. Dunn said the tracking service is the most comprehensive, automated service provided in any state. He said the tracking service uses information obtained from the Legislative Council's bill status information system. He said the information is obtained daily and is converted to a personal computer format for providing information to subscribers.

Discussion

Senator Nelson inquired whether the University System would be interested in managing public access to the bill status information system in addition to its tracking service. Mr. Dunn said the current arrangement works well. Senator Nelson said his idea is that the Legislative Council would license the bill status information system to the University System, and the University System would be responsible for determining the type of access provided to nonlegislative branch entities. Representative Dorso said freeing the Legislative Council staff from the burden of handling subscription services and dealing with

outside users would allow the staff to focus on further development of legislative information systems. Senator Nething said the University System could be requested to review the feasibility of offering legislative information in addition to its tracking service. Representative Dorso said the University System could then decide the extent of free access to the entire bill status information system.

Representative Boucher said the question is a policy issue of the extent information should be provided to the public without charge. He said the most important information is probably committee hearing schedules. The assistant director said it may be possible for committee hearing schedules to be placed in a server-oriented environment and thus be available on the legislative branch web page during the 1999 legislative session for public access without charge.

Representative Freier said he does not have a problem with making all legislative information available without charge, but we do not have that ability yet without incurring costs while users access that information.

Senator Krauter said the legislative branch should continue to provide access through the Internet, but the University System could be asked to present a proposal to provide bill status information to users outside the legislative branch.

Chairman Dorso recognized Ms. Connie Sprynczynatyk, Executive Director, North Dakota League of Cities. Ms. Sprynczynatyk said the league subscribed to the tracking service during the 1997 session and she posted relevant information to the League of Cities' web page.

After a luncheon recess, Chairman Dorso recognized Mr. Dale Wetzel, Associated Press. Mr. Wetzel said the Associated Press has a cooperative arrangement with broadcasters and the Newspaper Association and at recent meetings concern has been expressed over the \$400 fee to obtain access to the legislative information. He said the arrangements discussed today seem reasonable, e.g., text of bills and journals, status actions, and a subject index free, and real time information provided for a charge. He said he thinks the useful information in the legislative system is bill text, amendment text, hearing schedules, and a subject index. He said most people would be satisfied with once a day updates.

In response to a question from Representative Boucher, Mr. Wetzel said the four largest daily newspapers in the state may pay for real time access because of the need for current information.

It was moved by Senator Krauter, seconded by Representative Kretschmar, and carried on a voice vote that the Legislative Council staff be requested to continue to develop methods of providing bill status information in a client-server environment for

access through the legislative branch web page without charge; that the Council staff be requested to meet with the appropriate North Dakota University System staff 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; and that the University System be requested to present a proposal to the Legislative Management Committee for providing enhanced bill status information (other than that provided through the legislative branch web page) to outside users.

LEGISLATIVE RULES

House and Senate Rules Comparison

At the request of Chairman Dorso, the assistant director reviewed a memorandum entitled *House and Senate Rule Differences*. The memorandum compares House and Senate rules and identifies the substantive differences between House and Senate rules.

Representative Dorso suggested that he and Representative Boucher meet and discuss areas of differences between the House and Senate rules and determine whether any suggested amendments should be made to House rules to eliminate differences in procedures as appropriate.

Representative Kretschmar's List of Questions and Comments

Representative Kretschmar presented a list of questions and comments on legislative rules that arose during the 1997 legislative session. A copy of the list is attached as Appendix G. Chairman Dorso requested the assistant director work with Representative Kretschmar to determine which items should be prepared as rules amendments and which items are more appropriate as policy decisions.

PERSONAL COMPUTERS FOR LEGISLATORS

Personal Computer Acquisition

The assistant director distributed a cost analysis of purchasing or leasing 60 Gateway Solo 9100 personal computers. The analysis reviews the purchase price from Gateway and lease or financing arrangements available from AT&T Capital Corporation, FBS Investment Services, IBM Credit Corporation, and Norwest Investment Services for lease terms of 24, 36, or 48 months. In June, he said, the committee determined that the personal computers acquired for legislators be acquired through a lease arrangement. As a result of reviewing the various arrangements, he said, it appears most lease

arrangements are financing arrangements. Because the state is not a taxpaying entity, he said, there appears to be little advantage to leasing (financing) rather than acquiring the computers directly.

It was moved by Representative Boucher, seconded by Senator Nelson, and carried on a roll call vote that the committee reconsider its action providing for the leasing of personal computers acquired for legislators, and that the personal computers be purchased directly from Gateway. Representatives Dorso, Boucher, Freier, Gulleason, and Kretschmar and Senators Krauter and Nelson voted "aye." No negative votes were cast.

Legislative Assembly Equipment

Senator Krauter said he noticed a number of personal computers, mainframe terminals, and printers during the tour of the chambers. The Senate front desk has four mainframe terminals and one network printer and the House front desk has one personal computer, two mainframe terminals, and two network printers. Each house also has one personal computer for the voting system. He questioned whether it is more practical for the Legislative Assembly to lease equipment on a short-term basis for use during the session rather than purchase the equipment. He requested an inventory of Legislative Assembly personal computers, network computers, mainframe terminals, and printers, and information on which equipment is purchased and which is leased, be presented at a future committee meeting. The assistant director noted that any computer equipment leased on a short-term basis for use during a legislative session usually is leased for a nine-month period to allow for scheduling the equipment for adequate testing and programming before the session and for using that equipment after the session to complete postsession work.

No further business appearing, Chairman Dorso adjourned the meeting at 2:00 p.m.

Jay E. Buringrud
Assistant Director

John D. Olsrud
Director

ATTACH:7