

NORTH DAKOTA LEGISLATIVE COUNCIL

Minutes of the

LEGISLATIVE MANAGEMENT COMMITTEE

Wednesday, December 3, 1997
House Chamber, State Capitol
Bismarck, North Dakota

Representative John Dorso, Chairman, called the meeting to order at 8:00 a.m.

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

Members absent: Representatives Tom D. Freier, Pam Gulleason, William E. Kretschmar

Others present: Maryann Trauger, Legislative Council, Bismarck

Don Davis, Bismarck Tribune, Bismarck

Rich Gray, Office of Intergovernmental Assistance, Bismarck

Warren Tvenge, Vaughn Rhodes; Tvenge Associates Architects & Planners, Bismarck

APPROVAL OF MINUTES

It was moved by Senator Krauter, seconded by Senator Mathern, and carried on a voice vote that the minutes of the October 9, 1997, meeting be approved as mailed.

LEGISLATIVE RULES

Bill Introduction Deadlines

At the request of Chairman Dorso, the assistant director reviewed proposed amendments to Senate and House Rules 402. The assistant director said the deadlines for bill introduction traditionally fall on Mondays--the 5th, 10th, or 15th legislative days when the Legislative Assembly convenes on a Tuesday. He said the Monday deadlines allow for the Legislative Council staff to work Friday evening, Saturday, and Sunday to complete bill drafts resulting from requests received during the days immediately preceding a deadline. In 1997, he said, the Legislative Assembly convened on Monday and the rules were amended so that the deadlines fell on the 6th, 11th, and 16th legislative days in order to maintain the Monday deadlines. He said the amendment is presented now so the committee can make a recommendation so more accurate information on 1999 legislative deadlines could be placed on the web page for the legislative

branch and on the legislative branch information compact disc, which is ready to be manufactured.

In response to a question from Senator Mathern, the assistant director said the legislative rules provide for a number of deadlines and all reference legislative days rather than calendar days, e.g., the 10th legislative day rather than the second Monday after the Assembly convenes.

It was moved by Senator Nething, seconded by Senator Nelson, and carried on a voice vote that the committee approve the proposed amendment of Senate and House Rules 402, relating to bill introduction deadlines.

LEGISLATIVE RENOVATION

Legislators' Computers

At the request of Chairman Dorso, the assistant director reviewed alternatives for legislative renovation. He said the 1997-99 budget for acquiring computers for legislators is \$409,536. He said the 60 Gateway Solo 9100 computers were purchased at a cost of \$287,796. He said 1997 Session Laws, Chapter 15, Section 35, provides for the continuation of the 1995-97 Legislative Assembly appropriation and the amount carried into the 1997-99 biennium was \$357,061.

The assistant director said the Legislative Council staff is reviewing legislators' suggestions regarding enhancement of the Legislator's Automated Work Station (LAWS) system, and a common request was to be able to view amendments along with the text of each bill being amended. He said initial research indicates this could be done with a split screen feature but would be practical only with screens having a diagonal size of at least 13 inches. During the 1997 session, he said, 72 of 147 legislators did not have notebook computers and thus a number of bill racks were available to allow quick comparison of proposed amendments to the text of bills being amended. He noted that 132 legislators have been assigned notebook computers and presumably those legislators will not be using

bill racks. During the session, he said, legislators also commented on the slow speed of the computers with 486 processors compared to the computers with Pentium processors.

The assistant director inquired whether the committee favored enhancing the LAWS system to allow viewing of amendments along with the text of the bill being amended. He said a decision needs to be made so programming and testing can be completed by July 1998. He said the intent is to complete all programming by July and upgrade legislators' computers during interim committee meetings, rather than request all computers to be left with the Legislative Council office in December as was done in 1996. He emphasized that if the enhancement is made, the split screen feature would apply to every LAWS system user and the text on the split screen may not be viewed very readily on the older IBM computers.

The assistant director said a specific recommendation on computer acquisition will be made to the committee in March or April 1998, after further testing of the split screen feature and the effect of increasing processor speed to Pentium levels and hard drive capacity to at least two gigabits. He said a high-end estimate to provide 80 computers--to replace the IBM computers and provide for anticipated requests for computers after the 1998 election--is \$400,000. He said reserving this amount for computer replacement from the remaining amount for acquiring computers and the carryover leaves a balance of \$78,801. He said this is a conservative figure because the computers will probably cost less than \$5,000 each, and depending on the make of computers selected, there may be an opportunity to offset the cost by trading in the older computers. He reported that the 1989 legislative renovation appropriation balance is \$109,764, which provides total available funds of at least \$188,565 for additional renovation projects.

In response to a question from Senator Nelson, Ms. Maryann Trauger, Information Technology Coordinator, Legislative Council, said there is a good possibility that IBM will buy back the ThinkPads, especially if IBM computers are the replacement computers. Senator Nelson said the replacement of the computers would be more feasible if there were a trade-in value to reduce the total cost.

In response to a question from Representative Dorso, Ms. Trauger said the ThinkPads are under a three-year warranty, which would expire beginning in May 1998, depending on when particular computers were acquired. The assistant director noted that communications from data processing

coordinators working on information technology strategic plans have indicated that personal computer replacement schedules range from two to four years. He noted that the ThinkPads will be three years old in 1998.

It was moved by Senator Mathern, seconded by Senator Krauter, and carried on a voice vote that the Legislative Council staff proceed with enhancing the LAWS system to provide for split screen viewing of proposed amendments and text of measures being amended.

House and Senate Chamber Front Desk and Well Renovation

At the request of Chairman Dorso, Mr. Warren Tvenge, Tvenge Associates Architects & Planners, reviewed plans as suggested at the October 9, 1997, meeting for renovating the front desk area in each chamber. He said the plan for the Senate is to move the Secretary of the Senate's desk area out two feet while maintaining the end position of that desk area, lower the front lectern for better visibility, build a file counter along the wall on each side of the front desk area, and add a workspace area behind the desk force and in front of the President's desk. He said the plan for the House is to move the Speaker's desk back approximately five feet, 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) and the Speaker's desk area by two steps (three steps above ground level), build a file counter along the wall on each side of the front desk area, eliminate the front row work desk, and recarpet the front well area.

Mr. Tvenge said the plans were reviewed with Mr. Rich Gray, ADA/Building Code, Office of Intergovernmental Assistance; Ms. Wanda Geier, State ADA Coordinator, Vocational Rehabilitation; and Mr. Darrell Farland, Committee on Employment of People with Disabilities, Vocational Rehabilitation, regarding compliance with the Americans with Disabilities Act. He noted that once remodeling occurs in a structure of historical significance, guidelines for compliance with the Americans with Disabilities Act apply. He said an agreement was reached to retain the steps to the presiding officers' areas in each chamber. He said the decision to remove the steps to the employee work area in the House chamber was well received, but it is strongly recommended that the steps to the employee work area in the Senate be removed. He said they also recommended that ramps be placed along one wall in each chamber to extend from the rear floor area to the front well level.

Mr. Tvenge said the plans presented today include temporary ramps along the west aisle from the railing to the well area in each chamber. He said the ramps can be put into place when needed and otherwise stored in a readily accessible area. He recommended that the Senate lower the employee work area to ground level and remove two steps to the President's level.

In response to a question from Senator Mathern, Mr. Tvenge said the idea of filling in the well area to eliminate the last step from the lower senators' level to the ground floor level had not been considered. If this were done, he said, it would add slightly to the cost, and a step would still be necessary to reach the level of the employee work area.

Senator Nelson expressed concern over lowering the employee work area in the Senate. He said the area is too low for senators to see the employees now.

Mr. Tvenge presented the following estimates for the project:

Project	House	Senate	Total
Remodel rostrum area	\$44,200	\$40,700	\$84,900
Carpet chambers	30,600	20,400	51,000
Chairs/benches	59,926	34,506	94,432
Total	\$134,726	\$95,606	\$230,332

It was moved by Senator Mathern, seconded by Senator Nelson, and carried on a roll call vote that the architect be authorized to advertise for bids to renovate the House and Senate front desk areas according to the plans presented by the architect and to advertise for bids to replace the carpet in the House and Senate chambers. Representatives Dorso and Boucher and Senators Krauter, Mathern, Nelson, and Nething voted "aye." No negative votes were cast.

Chamber Chairs

At the request of Chairman Dorso, the assistant director described the seven chairs provided by local office supply companies as examples of replacement chairs for legislators in the chambers. If chairs are to be replaced, he said, the staff recommendation is that seat width be at least 21 inches, that each chair have a fabric back and a dark pedestal, and that each chair be equipped with a pneumatic lift, swivel tilt, and tilt tension.

Mr. Tvenge said a suggestion was made at the last meeting that the chairs be reupholstered

rather than replaced. He said there are approximately 184 chairs and 16 benches in the chambers. He said an estimate to reupholster the chairs and benches is \$69,000. He noted that the chairs in the chambers were acquired in 1968 and were recovered in 1980. The assistant director said loss prevention specialists of the risk management program of the Workers Compensation Bureau suggest that whenever chairs are recovered or repaired the four-leg pedestals be replaced with five-leg pedestals so as to reduce the chance of tipping over and injuring someone. Representative Dorso noted that during the 1997 session a number of chairs broke and required repairs. It was noted that the fabric of a number of chairs is torn and worn and the foam rubber padding is disintegrating.

It was moved by Representative Boucher, seconded by Senator Krauter, and carried on a voice vote that the Legislative Council staff arrange for the advertisement of bids to replace the chairs in the chambers, with the features as recommended by the staff as well as with loop or closed arms, fabric arms, and an option for adjustable arm height.

In response to a question from Senator Krauter, the assistant director said chairs replaced would be subject to the surplus property law (North Dakota Century Code Section 54-44-04.6) unless special legislation were enacted during the 1999 session. Senator Nething said 1969 legislation (1969 Session Laws, Chapter 459) provided for disposal of surplus chairs used in the House and Senate chambers before the 1969 session. He said first preference was given to current legislators, then to former legislators, then to state agencies, political subdivisions, and other purchasers, with priority given to counties for use as jury chairs.

Committee Room Displays

At the request of Chairman Dorso, the assistant director displayed the Northarvest print provided by the Northarvest Bean Growers Association for display in the Harvest Room and a poster of the International Peace Garden 20-cent stamp issued by the United States Postal Service in 1982 and provided by Representative Gerald Sveen for display in the Peace Garden Room.

It was moved by Senator Nething and seconded by Senator Mathern that the Legislative Council staff be requested to contact the State Historical Society for its recommendation as to the appropriateness of each item for display in the room intended. Senator Nething said the room displays were prepared by a

consultant in cooperation and consultation with the State Historical Society and all the displays reflect period themes. He said it would be appropriate for that consultant or the Historical Society to comment on the appropriateness of these items fitting with the current displays in the rooms. After this discussion, **Senator Nething's motion carried on a voice vote.**

No further business appearing, Chairman Dorso adjourned the meeting at 9:00 a.m.

Jay E. Buringrud
Assistant Director