

NORTH DAKOTA LEGISLATIVE COUNCIL

Minutes of the

LEGISLATIVE COUNCIL

Thursday, June 14, 2001
Roughrider Room, State Capitol
Bismarck, North Dakota

Representative Wesley R. Belter, Chairman, called the meeting to order at 9:00 a.m.

Members present: Representatives Wesley R. Belter, LeRoy G. Bernstein, Merle Boucher, Duane DeKrey, Lois Delmore, Jeff Delzer, Scot Kelsh, Amy Kliniske-Warnke, John Mahoney; Senators John M. Andrist, Dwight Cook, Aaron Krauter, Tim Mathern, Dave Nething, Larry J. Robinson, Bob Stenehjem

Member absent: Senator Judy Lee

Others present: Dale Wetzal, Associated Press, Bismarck

Janell Cole, The Forum, Bismarck

Ken Pascutoi, Dell Computer, St. Paul, Minnesota

Ken Svedjan, State Representative, Grand Forks

Max Laird, North Dakota Education Association, Bismarck

Ole Aarsvold, State Representative, Blanchard

Brian Kramer, North Dakota Farm Bureau, Bismarck

Blair Thoreson, State Representative, Fargo

Dick Dever, State Senator, Bismarck

Kim Koppelman, State Representative, West Fargo

Jack McDonald, North Dakota Newspaper Association, Bismarck

John M. Warner, State Representative, Ryder

Jay E. Buringrud, Jim W. Smith, Maryann Trauger, Mary Janusz, J. D. Dvorak; Legislative Council, Bismarck

Chairman Belter announced that Duane Lee, Senator Judy Lee's husband, died Wednesday morning and the funeral would be Saturday in West Fargo. He expressed condolences on the part of all the members of the Legislative Council to Senator Lee and her family.

It was moved by Representative DeKrey, seconded by Representative Delmore, and carried on a voice vote to dispense with the reading of the minutes of the May 14, 2001, meeting and to approve the minutes as distributed.

Chairman Belter distributed copies of a proposed committee structure. He said the suggested committee membership was based primarily upon the preferences indicated by legislators in questionnaires after the last meeting. He said the Legislative Council would stand at ease while the members reviewed the proposed committee structure.

Following the recess, Chairman Belter presented the proposed membership of the Administrative Rules Committee, to be chaired by Representative LeRoy G. Bernstein. **It was moved by Representative DeKrey, seconded by Senator Robinson, and carried on a voice vote that the proposed membership of the Administrative Rules Committee be approved.**

Chairman Belter presented the proposed membership of the Advisory Commission on Intergovernmental Relations, to be chaired by Representative Scot Kelsh. Chairman Belter announced that the law provides that the Legislative Council also name the vice chairman, and he announced that Senator Herb Urlacher was suggested as the vice chairman. **It was moved by Senator Cook, seconded by Representative Delzer, and carried on a voice vote that the proposed membership of the Advisory Commission on Intergovernmental Relations be approved.**

Chairman Belter reviewed the proposed membership of the Agriculture Committee, to be chaired by Senator Terry M. Wanzek. **It was moved by Representative Delzer, seconded by Representative Delmore, and carried on a voice vote that the proposed membership of the Agriculture Committee be approved.**

Chairman Belter presented the proposed membership of the Budget Section, to be chaired by Representative Ken Svedjan. **It was moved by Senator Robinson, seconded by Senator Stenehjem, and carried on a voice vote that the proposed membership of the Budget Section be approved.**

Chairman Belter presented the proposed membership of the Budget Committee on Government Administration, to be chaired by Senator Tim Mathern. **It was moved by Representative Delzer, seconded by Senator Cook, and carried on a voice vote that the proposed membership of the Budget Committee on Government Administration be approved.**

Chairman Belter presented the proposed membership of the Budget Committee on Government Services, to be chaired by Representative Jeff Delzer. **It was moved by Representative DeKrey, seconded by Representative Delzer, and carried on a voice vote that the proposed membership of the Budget Committee on Government Services be approved.**

Chairman Belter presented the proposed membership of the Budget Committee on Health Care, to be chaired by Senator Judy Lee. **It was moved by Representative Delmore, seconded by Representative DeKrey, and carried on a voice vote that the proposed membership of the Budget Committee on Health Care be approved.**

Chairman Belter presented the proposed membership of the Budget Committee on Human Services, to be chaired by Representative Amy Kliniske-Warnke. **It was moved by Representative DeKrey, seconded by Senator Robinson, and carried on a voice vote that the proposed membership of the Budget Committee on Human Services be approved.**

Chairman Belter reviewed the proposed membership of the Commerce Committee, to be chaired by Senator John M. Andrist. **It was moved by Senator Krauter, seconded by Senator Stenehjem, and carried on a voice vote that Senator Carolyn Nelson be added as a member of the Commerce Committee and that the proposed membership of the Commerce Committee be approved.**

Chairman Belter reviewed the proposed membership of the Corrections Committee, to be chaired by Representative Duane DeKrey. **It was moved by Representative Mahoney, seconded by Senator Robinson, and carried on a voice vote that the proposed membership of the Corrections Committee be approved.**

Chairman Belter reviewed the proposed membership of the Education Committee, to be chaired by Senator Dwight Cook. **It was moved by Representative Delzer, seconded by Senator Stenehjem, and carried on a voice vote that the proposed membership of the Education Committee be approved.**

Chairman Belter reviewed the proposed membership of the Electric Industry Competition Committee, to be chaired by Representative Al Carlson. In answer to a question from Senator Krauter, Representative Belter said Senator Christmann is not on the proposed membership of the Electric Industry Competition Committee because he is on the proposed list for the Legislative Redistricting Committee and, because he is the assistant majority leader, he automatically serves on a number of other committees. Senator Krauter suggested that Senator Tomac either be added to the membership of the Electric Industry Competition Committee or that Senator Tomac replace Senator Robinson on the committee. Representative Belter said he had attempted to recognize experience and provide a balance of interests in selecting the proposed membership for this committee. **It was moved by Representative DeKrey, seconded by Representative Delzer, and carried on a voice vote that the proposed membership of the Electric Industry Competition Committee be approved.**

Chairman Belter reviewed the proposed membership of the Employee Benefits Programs Committee, to be chaired by Representative Bette Grande. **It was moved by Representative DeKrey, seconded by Representative Delzer, and carried on a voice vote that the proposed membership of the Employee Benefits Programs Committee be approved.**

Chairman Belter reviewed the proposed membership of the Family Law Committee, to be chaired by Representative John Mahoney. **It was moved by Representative DeKrey, seconded by Senator Robinson, and carried on a voice vote that the proposed membership of the Family Law Committee be approved.**

Chairman Belter reviewed the proposed membership of the Garrison Diversion Overview Committee, to be chaired by Senator Aaron Krauter. **It was moved by Senator Mathern, seconded by Representative Boucher, and carried on a voice vote that the proposed membership of the Garrison Diversion Overview Committee be approved.**

Chairman Belter reviewed the proposed membership of the Higher Education Committee, to be chaired by Senator Dave Nething. **It was moved by Representative DeKrey and seconded by Senator Stenehjem that the proposed membership of the Higher Education Committee be approved. It was moved by Senator Nething, seconded by Representative DeKrey, and carried on a voice vote that the motion be amended to assign Section 4 of Senate Bill No. 2020, relating to workforce training and development programs, to the Commerce Committee instead of the Higher Education Committee. Chairman Belter then called for a vote on the main motion, and the motion to approve the proposed membership and studies of the Higher Education Committee as amended was carried on a voice vote.**

Chairman Belter reviewed the proposed membership of the Information Technology Committee, to be chaired by Senator Larry J. Robinson. **It was moved by Senator Nething, seconded by Senator Cook, and carried on a voice vote that the proposed membership of the Information Technology Committee be approved.**

Chairman Belter reviewed the proposed membership of the Judiciary A Committee, to be chaired by Representative Merle Boucher. **It was moved by Representative DeKrey, seconded by Representative Mahoney, and carried on a voice vote that the proposed membership of the Judiciary A Committee be approved.**

Chairman Belter reviewed the proposed membership of the Judiciary B Committee, to be chaired by Representative Lois Delmore. **It was moved by Senator Stenehjem, seconded by Senator Nething, and carried on a voice vote that the motion at the last meeting to not approve House Concurrent Resolution No. 3022, relating to the study of the**

use of incentive programs as a way of keeping elk in the state and providing increased opportunities for landowners, hunters, and the general public, be reconsidered and that this study be assigned to the Judiciary B Committee. It was moved by Representative DeKrey, seconded by Senator Stenehjem, and carried that the proposed membership and studies of the Judiciary B Committee as amended be approved.

Chairman Belter reviewed the proposed membership of the Legislative Audit and Fiscal Review Committee, to be chaired by Senator Ken Solberg. Representative Boucher noted that there was only one member of the minority party from each house on the proposed membership of this committee. **It was moved by Senator Robinson, seconded by Representative DeKrey, and carried on a voice vote that Senator Jerry Kelsh and Representative Ole Aarsvold be added to the membership of the Legislative Audit and Fiscal Review Committee. It was moved by Representative DeKrey, seconded by Senator Robinson, and carried on a voice vote that the proposed membership, as amended, of the Legislative Audit and Fiscal Review Committee be approved.**

Chairman Belter reviewed the proposed membership of the Legislative Management Committee, to be chaired by Senator Bob Stenehjem. **It was moved by Senator Mathern, seconded by Senator Robinson, and carried on a voice vote that the proposed membership of the Legislative Management Committee be approved.**

Chairman Belter reviewed the proposed membership of the Legislative Redistricting Committee, to be chaired by Representative Mike Timm. In the discussion that followed, Senator Mathern noted that Senator Jerry Kelsh had asked for that committee, and he noted that Senator Kelsh has seniority, and he suggested either that Senator Kelsh be added as a member of the committee or that Senator Kelsh replace Senator Mathern as a member of the Legislative Redistricting Committee. Representative Belter said he had reviewed the membership with the Senate minority leader and both Senator Kelsh and Senator Mathern had been suggested. He said because Representative Pam Gulleason is from the same legislative district as Senator Kelsh, the proposed membership should be approved. Senator Mathern said he does not see a problem having two legislators from the same district inasmuch as all the members of this committee must have a statewide perspective. Senator Mathern also said Senator Kelsh has the necessary time to devote to this committee.

In answer to a question from Senator Mathern, Representative Belter said having a special session in December may be more realistic than November, but he said the Legislative Redistricting Committee will determine when it is ready to report.

Representative Boucher said because Senator Mathern is on the Legislative Council, he is in a position to be involved in the redistricting process. Senator Robinson noted there are several members of the committee from neighboring districts, and he said that is not very different from two members being from the same district.

It was moved by Representative DeKrey and seconded by Senator Nething to approve the proposed membership of the Legislative Redistricting Committee. It was moved by Senator Robinson and seconded by Senator Krauter that the proposed membership of the Legislative Redistricting Committee be amended to include Senator Kelsh. In the discussion that followed, Representative Belter said he believes the proposed membership has a balance between the houses and political parties. Representative Boucher noted that the last redistricting committee had been equally divided between the houses and the parties. Senator Krauter said he believes adding Senator Kelsh to the Legislative Redistricting Committee will result in a better proportion based upon the number of minority members in the Senate. Representative Belter said the balance on the committee is based upon the proportion of minority members in both houses. Senator Krauter said he does not believe that is an appropriate criteria, inasmuch as North Dakota has a bicameral rather than a unicameral legislature. Representative Mahoney said even with Senator Kelsh as a member of the Legislative Redistricting Committee, the majority party will still have an overwhelming majority on the committee. He said Senator Kelsh's experience could be valuable on the committee, and if the committee does not proceed in an appropriate manner there could be lawsuits that perhaps could be avoided if experienced legislators serve. Representative Belter said there are many legislators who have adequate qualifications to serve on this committee, but the proposed membership represents a balance. Senator Mathern said he does not believe that the winners should take all after an election. He said many legislative elections are very close, and the minority should have adequate representation to reflect the actual breakdown of the vote totals.

Chairman Belter called for a vote on the amendment, and **the amendment was defeated.** Chairman Belter called for a vote on the main motion, and **the motion to approve the proposed membership of the Legislative Redistricting Committee was approved on a voice vote.**

Chairman Belter reviewed the proposed membership of the Regulatory Reform Review Commission, to be chaired by Representative Rick Berg. **It was moved by Senator Krauter, seconded by Representative Delzer, and carried on a voice vote that the proposed membership of the Regulatory Reform Review Commission be approved.**

Chairman Belter reviewed the proposed membership of the Taxation Committee, to be chaired by Senator Rich Wardner. **It was moved by Senator Robinson, seconded by Representative Mahoney, and carried on a voice vote that the proposed membership of the Taxation Committee be approved.**

Representative Kelsh asked to reopen the issue of the proposed membership on the Electric Industry Competition Committee. He said membership on that committee was his first choice, and he said he has experience regarding the transmission grid and other issues that will be relevant to the work of this committee, and he asked for consideration of his inclusion on the committee. Representative Belter noted that Representative Huether has substantial experience based on prior service on this committee. He also noted that because Representative Kelsh is on the Legislative Council, he can have input in the work of this committee. **It was moved by Senator Mathern and seconded by Representative Boucher that the Council reconsider its action by which it approved the membership of the Electric Industry Competition Committee and that the name of Representative Scot Kelsh be added to that committee.** Chairman Belter called for a vote on the motion, and **the motion was defeated.**

It was moved by Representative DeKrey, seconded by Senator Cook, and carried on a roll call vote that the Council approve the committee structure and the appointments that had been made by voice vote. Voting in favor of the motion were Representatives Belter, Bernstein, Boucher, DeKrey, Delmore, Delzer, Kelsh, Kliniske-Warnke, and Mahoney and Senators Andrist, Cook, Krauter, Mathern, Nething, Robinson, and Stenehjem. There were no negative votes.

Chairman Belter announced that the Council would review appointments to be made by the chairman and by the Legislative Council. He announced that he was appointing Representative Bill Devlin and Senator Tom Fischer to the Child Support Guidelines Drafting Advisory Committee, Representative Robin Weisz and Senator Bob Stenehjem to the Special Road Committee, Representatives Jeff Delzer and Lyle Hanson and Senators Ralph L. Kilzer and Steve Tomac to the State Employees Compensation Commission, Representatives Francis J. Wald and George Keiser and Senators Jerry Klein and Harvey Tallackson to the National Conference of Insurance Legislators, Jay E. Buringrud as a member of the Legislative Council staff to serve as a member of the Commission on Uniform State Laws, and Senator Dave Nething to the Western Interstate Commission on Higher Education (WICHE).

Chairman Belter announced that he was appointing Senator Ron Nichols to the Crop Protection Product Harmonization and Registration Board as the member of the Legislative Assembly who is not a

member of the faction of which the committee chairman is a member. Chairman Belter announced that the Crop Protection Product manufacturing industry representative will be Mr. Brett Oemichen.

Representative Boucher noted that nearly all the appointees by the chairman of the Legislative Council were members of the majority party. He suggested having more minority party representation among the appointees. Representative Belter said some appointments are bipartisan, but he believes some of the positions require that the appointees reflect the position of the majority party.

Chairman Belter announced that the Council would review appointments to be made by the Legislative Council. He said the Council is to select one member from each house for the Uniform Laws Commission, and both members must be attorneys. He suggested Senator Tom Trenbeath and Representative Lawrence R. Klemin be appointed to the Uniform Laws Commission. **It was moved by Senator Cook, seconded by Representative Delzer, and carried on a voice vote that Senator Tom Trenbeath and Representative Lawrence R. Klemin be appointed to the Uniform Laws Commission.**

Chairman Belter recommended that Representative Amy Kliniske-Warnke and Senator Judy Lee be appointed to the Committee on Protection and Advocacy. **It was moved by Senator Stenehjem, seconded by Senator Nething, and carried on a voice vote that Representative Amy Kliniske-Warnke and Senator Judy Lee be appointed to the Committee on Protection and Advocacy.**

Chairman Belter recommended Representatives Duane DeKrey and John Mahoney and Senators Karen Krebsbach and Carolyn Nelson be appointed to the Secretary of State's Election Laws Study Committee. **It was moved by Senator Krauter, seconded by Senator Mathern, and carried on a voice vote that Senator Jerry Kelsh be substituted for Senator Carolyn Nelson as a member of the Secretary of State's Election Laws Study Committee.** **It was moved by Senator Robinson, seconded by Representative Boucher, and carried on a voice vote that Representatives Duane DeKrey and John Mahoney and Senators Karen Krebsbach and Jerry Kelsh be appointed to the Secretary of State's Election Laws Study Committee.**

Chairman Belter recommended Senator Dave Nething be named to the State Hospital Governing Body. **It was moved by Senator Stenehjem, seconded by Representative Delzer, and carried on a voice vote that Senator Dave Nething be appointed to the State Hospital Governing Body.**

Chairman Belter called on the director to review a document entitled *Supplementary Rules of Operation and Procedure of the North Dakota Legislative Council*. The director said the supplementary rules were

considerably revised in 1998 and now contain specific provisions relating to the powers of the chairman of the Legislative Council. In response to a question from Senator Mathern, the director said the rule requiring that the chairman of the Legislative Council approve communications expressing policy of an interim committee was first adopted to coordinate policy statements sent to Congress. He said the requirement does not mean that interim committees need to consult with the chairman of the Legislative Council to invite people to appear before the study committees, but only applies when the study committees wish to communicate policy statements to other entities, usually Congress or executive branch agencies. **It was moved by Representative DeKrey, seconded by Senator Nething, and carried on a voice vote that the *Supplementary Rules of Operation and Procedure of the North Dakota Legislative Council* be approved.**

Chairman Belter called on the director for a discussion of the item on the agenda concerning the purchase of notebook computers for legislators. The director said a letter had been sent to members of the Legislative Council notifying them that this item would be on the agenda. The director said legislators' computers are starting their fourth or fifth years of service and the warranties on 60 of these computers have expired, and the warranties on 87 will expire on June 19, 2001. He said these computers are breaking down and replacement parts are difficult to obtain. Although the selection of computers for legislators has previously been delegated to the Legislative Management Committee by the Legislative Council, the director said, in order to save time the chairman had approved placing this item on the agenda for this meeting.

Chairman Belter called on Ms. Maryann Trauger, Information Technology Coordinator for the Legislative Council. Ms. Trauger distributed copies of a comparison list for the notebooks, and she announced that these computers were on display for inspection by the members of the Council. A copy of the comparison list is attached as an appendix.

Ms. Trauger said the processors on the Gateway computers currently used by legislators are either Pentium 166MMXs or Pentium II 233s. She said each computer has 48 megabytes of memory (RAM) and the hard drive is either two or four gigabytes. She said the display is 13.3 inches and the operating system is Windows 95, which is no longer supported by Microsoft.

Ms. Trauger said the staff had been researching the requirements for the replacement of legislators' computers. She said during the legislative session it was noticed that legislators most frequently had Legislator's Automated Work Station (LAWS) system, Lotus Notes, and Internet Explorer open at the same time. Along with the operating system requirements, she said, it was determined that 256 MB RAM would

allow these systems to operate at an adequate speed when they were all in use. She said a 15-inch screen would accommodate future development in the LAWS system, particularly the need for legislators to see the text of measures while they were in the LAWS system. She said the 10-gigabyte hard drive size was selected for the amount of legislative software that needs to be loaded. She said the Windows 2000 operating system is recommended for use with the Corridor application that provides access to LAWS via the Web. She said the Pentium III 700-900 megahertz processor speeds should be adequate for the future.

Ms. Trauger said because the notebooks are on a four-year replacement cycle, the cost of a four-year warranty was requested from the vendors and that is reflected in the footnotes of the comparison list. She said there are advantages in having warranties on the computers because in addition to covering the cost of repairs, the vendor is then responsible for locating parts and being able to support the computers from remote locations. She said the experience with the current Gateway computers is that it has become increasingly difficult to get parts with some delays of up to six weeks. She said the expense of repairing the current out-of-warranty computers averages \$250 to \$500 for each repair. She said to reduce this cost and because of the difficulty in obtaining parts, the staff has been stripping parts from backup computers. She said the staff has no experience with warranties or service work with the other vendors except for IBM. She said the IBM notebooks have required very few repairs and there have been no hardware failures in those computers.

In answer to a question from Representative Delzer, Ms. Trauger said the vendors had been asked to provide warranty service on a four-year cycle.

In answer to a question from Senator Mathern, Ms. Trauger said although IBM has Lotus Notes as part of its package, the Legislative Council has licenses for Lotus Notes so that software can be installed in other makes.

In answer to a question from Senator Krauter, Ms. Trauger said a 10-gigabyte hard drive is considered adequate, but a 20-gigabyte drive would be better.

In answer to a question from Senator Robinson, Ms. Trauger said the experience with IBM has been that that company provides excellent service and rapid response. Senator Robinson noted the problems during the legislative session which arose because the network connections are on the side of the current notebooks and pointed out the advantage of having the network connection on the back of the IBM notebook as compared to on the side.

In answer to a question from Representative Kelsh, Ms. Trauger said there are no plans to replace Lotus Notes. She said some of the problems that have been experienced have been caused by use of

the computers from remote locations. She said Lotus Notes is integrated throughout the software programs used by the Legislative Assembly and the Legislative Council. She said one advantage of the Lotus Notes software is that it does not have the problems with viruses that some other systems have.

In answer to a question from Senator Krauter, Ms. Trauger said the last time the Legislative Assembly considered purchasing new computers the trade-in offers were minimal. She said by following state law and turning the used computers over to surplus property, other state agencies will have the benefits of using the former computers used by legislators.

Chairman Belter then called on each of the vendors for presentations on the various laptops on display. Mr. Mike Schettler, State and Local Governments Accounts Manager for Compaq, emphasized the interchangeability of features and the service availability for the Compaq Armada E500. In answer to a question from Senator Robinson, Mr. Schettler said his product only had a touchpad and did not use the stick mouse.

Mr. Dan Fitzgibbons, North Dakota and Minnesota Government Representative for Gateway, said his firm is addressing the service problems that customers have experienced. He said his firm will guarantee parts availability in the future, and the state could use third-party service providers. In answer to a question from Senator Mathern, Mr. Fitzgibbons said Gateway recognizes there have been service problems in the past, and he said they are improving their service programs and now have a store in Fargo. In answer to a question from Representative Delmore, Mr. Fitzgibbons said it would cost \$75 per computer (Gateway Solo 9500) to increase the hard drive from 10 gigabytes to 20 gigabytes.

Ms. Gena Anderson, Account Manager for Corporate Technologies in Fargo, represented Hewlett Packard. She reviewed the various features of the Hewlett Packard OmniBook 6000 computers.

Mr. Ken Pascutoi, Major Accounts Manager, Dell Computers, said Hypercool makes his product run cooler. He said IBM is Dell's default service provider. He said his firm will provide extra hard drives for backup and can load the software when manufacturing the computers (Dell Inspiron 2500).

Ms. Jennifer Lefor, Corporate Technologies, represented IBM. She said service for the ThinkPad A22m would be provided in Fargo.

In answer to a question from Senator Krauter, Mr. Fitzgibbons said Gateway would provide a trade-in for the used computers, and he would obtain the amount and present it later at this meeting.

Senator Robinson said service history is important. He emphasized that the side portals were a problem because of materials placed on legislators' desks and the back portals on the IBMs would be an advantage.

Senator Nething suggested that the decision on the purchase of new computers for legislators be delegated to the Legislative Management Committee. Representative Boucher agreed, and noted the difficulty in discussing four-year warranties when changes in technology are unknown. In answer to a question from Representative Boucher, Ms. Trauger said the staff used the approved vendor list provided by the Office of Management and Budget.

Senator Mathern said a decision needs to be made, and he believes the staff recommendations would be valuable. The director said the staff is attempting to provide information to the members of the Council so they can make a decision.

Senator Cook said he is reluctant to make a decision at this meeting. He also noted the possibility of comparing leasing to purchasing these computers.

In answer to a question from Senator Krauter, Ms. Trauger said repairs for several of the existing legislators' computers are dependent on finding parts, and legislators are not being well-served. She also said some data is being lost because of the breakdown problems.

In answer to a question from Representative Belter, Ms. Trauger said the hope is to have the new computers in use by November. She said time is needed to deal with the personal use option, and legislators need training time on the new computers. She said legislators need to be acquainted with their computers when the 2003 regular legislative session begins and the LAWS system software needs to be tested with the new computers.

In response to a question from Senator Mathern, Ms. Trauger said the experience of the staff with IBM indicates excellent reliability. She said the display on the IBM computers is bright which will help in the chambers as legislators experienced difficulties with dim displays in the past. She said the network connection on the IBM computers is on the back, which should eliminate the frequent disconnects that happen when the cables are bumped. She said the price is the lowest on the Dell computers. She said she has a concern with the open access to the fan or exhaust area and she noted the speaker locations are on the sides. She said if the Dell computer is selected, she recommends upgrading the processor from 700 to 900 megahertz and adding the additional 10-gigabyte hard drive. She noted the warranty work for Dell is done by IBM. Ms. Trauger said the Gateway computer would be the third choice.

In answer to a question from Senator Robinson, Ms. Trauger said the staff has spent numerous hours over the last several weeks studying the various models and the products available. She said the work had begun before the end of the legislative session, but the concentrated work has been performed since the end of the legislative session.

Senator Andrist said the products are changing and the service experience in the past may not be an indication of what may happen in the future.

Mr. Pascutoi said he wanted to point out that the new Dell computers have snap-in plugs that do not come out as easily as the connections in the past.

Mr. Fitzgibbons said he had obtained information on trade-ins for the existing Gateway computers. He said his company would provide a \$150 credit for the Gateway computers that have Pentium 166 megahertz and \$250 credit for those that have Pentium II 233s. In answer to a question from Senator Krauter, Ms. Trauger said there are 60 166s and 87 233s.

In answer to a question concerning the reason for the differences in the capacities of the products presented, Ms. Trauger said the vendors were provided with what was considered the minimum requirements for replacement computers. She said in order to reduce costs, the vendors were not asked to modify their products, and it was anticipated they would provide their best prices if they were given flexibility concerning the products to be presented.

In answer to a question from Representative Mahoney, Ms. Trauger said the IBMs have been reliable in the past and few repairs have been required. She said a one-year warranty on those computers is probably sufficient.

It was moved by Senator Nething and seconded by Representative Delzer that the subject of securing replacement computers be delegated to the Legislative Management Committee. In the discussion that followed, Senator Mathern said he believes the discussion for the Legislative Management Committee should be limited to IBM, Dell, and Gateway and that 256-megabytes RAM and 20-gigabyte hard drives should be solicited. He said all the companies should be asked to provide information on the same warranty, and a trade-in option should be solicited.

Representative Boucher said it would help if the staff could provide further information concerning the costs of repairs in the past.

Chairman Belter called for a vote on the motion, and **the motion carried on a voice vote.**

Chairman Belter called on the director, who distributed information concerning requirements and expectations regarding meetings of the Legislative Council during the upcoming biennium. He said a question had been raised at the prior meeting and it was noted that the Legislative Council traditionally holds four meetings during each biennium--a meeting to elect a chairman and vice chairman, a meeting to establish priorities for studies, a meeting to approve an interim committee structure, and a final meeting to receive reports of study committees. He said this year it can be anticipated there will be a meeting of the Legislative Council to receive the report of the Legislative Redistricting Committee before a special session.

The director reported that during the last interim the Legislative Management Committee had requested that the staff begin the process of securing bids for the publication of the North Dakota Century Code. The director said he had hoped to free the time of the code revisor during this biennium to concentrate on this issue. However, he said, the Legislative Council had approved a heavy workload for the interim Taxation and Administrative Rules Committees, both of which are staffed by the code revisor. However, he said, the staff would continue to gather information for presentation to the Legislative Management Committee.

The director reported that invitations were being received by legislators to attend a Four-State Legislative Conference in Nebraska. He said this conference was a five-state conference until 1997, the last time North Dakota hosted the conference when Montana dropped out leaving it as a four-state conference. He said in 1999 South Dakota hosted the Four-State Conference, and notice was received that Wyoming was dropping out of the conference. He said although it appears Wyoming is no longer a member of the conference, references continue to be made to a Four-State Conference. He said if there are only three states left, the next state expected to host the conference would be North Dakota, and inasmuch as North Dakota is hosting the Midwestern Legislative Conference in 2002 and because all the remaining states are members of the Midwestern Legislative Conference, he suggested that attendees at the conference this year be invited to come to Fargo next year for the Midwestern Legislative Conference and that the leaders of the remaining states take this matter under advisement to consider the appropriate future of this conference.

Senator Krauter noted that the Administrative Rules Committee as approved by the Council does not include any senators who are members of the minority party. He asked that Senator David O'Connell be added to the list. Chairman Belter said he would take this suggestion under advisement.

In answer to a question from Senator Krauter, Chairman Belter said he hopes to soon make appointments to other statutory committees to which members are appointed by the chairman of the Legislative Council.

It was moved by Senator Robinson, seconded by Representative Mahoney, and carried on a voice vote that the meeting be adjourned. Chairman Belter adjourned the meeting at 1:05 p.m.

John D. Olsrud
Director

ATTACH:1