

NORTH DAKOTA LEGISLATIVE COUNCIL

Minutes of the

LEGISLATIVE MANAGEMENT COMMITTEE

Monday, October 7, 2002
Harvest Room, State Capitol
Bismarck, North Dakota

Senator Bob Stenehjem, Chairman, called the meeting to order at 1:05 p.m.

Members present: Senators Bob Stenehjem, Bill Bowman, Randel Christmann, Joel C. Heitkamp, Aaron Krauter; Representatives Wesley R. Belter, LeRoy G. Bernstein, Pam Gulleason, David Monson, Mike Timm

Member absent: Representative Merle Boucher

Others present: Mary Van Sickle, Jack McDonald; Community Access Television, Bismarck

Curtis L. Wolfe, Mike Ressler, Kevin Nosbusch, Sam Stoxen; Information Technology Department, Bismarck

Susan Rood, Spherion, Bismarck

Bill Goetz, Governor's office, Bismarck

Sheila Peterson, Office of Management and Budget, Bismarck

John Bjornson, Maryann Trauger, Karen Mund; Legislative Council, Bismarck

It was moved by Senator Krauter, seconded by Senator Bowman, and carried on a voice vote to approve the minutes of the June 25, 2002, meeting of the committee.

CONTRACTS FOR PRINTING LEGISLATIVE DOCUMENTS

Session Laws and Bills, Resolutions, and Journals

At the request of Chairman Stenehjem, the assistant director reviewed the bids for printing the Session Laws. He said two bids were received--\$102,289.75 by Knight Printing Company, Fargo, and \$135,515 by Quality Printing Service, Bismarck. He said this contract is awarded by the Central Services Division of the Office of Management and Budget.

At the request of Chairman Stenehjem, the assistant director reviewed the bid received for printing bills, resolutions, and journals. The assistant director said Quality Printing Service submitted the only bid. He referred to the various bid prices for printing bills of various sizes.

In response to a question from Senator Krauter, the assistant director said it would be difficult to compare the bid to the 2001 contract because the number of introduced bills printed has been reduced

from 500 to 350 and the number of engrossed bills printed has been increased from 100 to 200.

After obtaining information on the 2001 contract, the assistant director provided comparisons, e.g., in 2001 the price for 500 copies of a one-page bill was \$24 and the 2003 bid for 350 copies of a one-page bill is \$22 and in 2001 the price for 100 copies of a one-page engrossed bill was \$18 and the 2003 bid for 200 copies of a one-page engrossed bill is \$20.

It was moved by Representative Monson, seconded by Senator Heitkamp, and carried on a roll call vote that the committee accept the bid by Quality Printing Service to print bills, resolutions, and journals and that the contract be for the documents to be printed on recycled paper. Senators Stenehjem, Bowman, Christmann, Heitkamp, and Krauter and Representatives Belter, Bernstein, Monson, and Timm voted "aye." No negative votes were cast.

LEGISLATIVE SESSION ARRANGEMENTS

Photography Contract

At the request of Chairman Stenehjem, the assistant director reviewed the *Invitation to Bid - Legislative Assembly Photography Services*. The assistant director said the invitation to bid was sent to 34 photography firms in an area encompassed by Bowman, Crosby, Minot, and Ellendale. He said two bids were received--\$3,700 by Anderson Photography, Crosby, and \$4,495 by Robert Knutson Photography, Bismarck. In 2000 two bids were received--\$3,200 by Anderson Photography and \$4,750 by Pam Kendall Photography, Ellendale. He said Anderson Photography had the contracts during the 1995 through 2001 legislative sessions.

It was moved by Senator Bowman and seconded by Senator Christmann that the committee accept the proposal by Anderson Photography to provide photography services to the 58th Legislative Assembly. Representative Monson said a number of legislators have expressed concern over the quality of the pictures. Senator Heitkamp agreed and said something appears to be lacking when the pictures of legislators are compared to pictures of other state officials. Representative Gulleason questioned whether the lighting needs to be

improved. Senator Krauter said he recently viewed the composite pictures and those in the mid-1990s have severely faded. He said shortcuts appear to have been taken and maybe an individual taking pictures for state agencies could do a better job. Representative Monson questioned whether it would be possible to reject both bids and ask the Department of Transportation to take the pictures. Senator Bowman suggested a letter be sent to Anderson Photography pointing out concerns by legislators over the quality of the pictures. Senator Heitkamp said this has been done in the past. Representative Belter said he is concerned over placing this responsibility with a state agency rather than a private contractor. He said the letter should point out concerns expressed over the quality of the pictures. After this discussion, **the motion carried on a roll call vote.** Senators Stenehjem, Bowman, Christmann, and Heitkamp and Representatives Belter, Bernstein, and Timm voted "aye." Senator Krauter and Representatives Guleson and Monson voted "nay."

Secretarial, Telephone Message, and Bill and Journal Room Services

At the request of Chairman Timm, the assistant director reviewed the *Invitation to Bid - Legislative Assembly Secretarial and Telephone Message Services*. The assistant director said the invitations to bid for providing secretarial and telephone message services, bill and journal room services, and combined secretarial, telephone message, and bill and journal room services were sent to 11 temporary personnel and secretarial services in the Bismarck-Mandan area. He said the invitation to bid for providing bill and journal room services also was sent to local printing firms.

The assistant director said three firms submitted bids to provide secretarial and telephone message services based on 13 employees for 75 legislative days at these daily bids--\$1,023.75 by Expressway Personnel, \$1,061.84 by Adecco, and \$1,085.76 by Spherion. He said Spherion provided secretarial and telephone message services during the 2001 legislative session at \$1,044.40 per day. He said the bid specifications provided that the proposal must be accompanied by a list of no fewer than three references who can attest to the capability to handle a contract of this magnitude. He said Expressway Personnel did not provide the references with its bid.

The assistant director reviewed the *Invitation to Bid - Legislative Assembly Bill and Journal Room Services*. He said four bids were received to provide bill and journal room services based on five employees for 75 legislative days at these daily bids--\$393.75 by Expressway Personnel, \$462 by Spherion, \$481.20 by Adecco, and \$525 by Quality Printing Service. He said Quality Printing Service provided bill and journal room services during the 2001 legislative session for \$510 per day for 88 days (19 days before the session, two days during the

recess, and 67 legislative days) and \$440 per day for each day beyond 67 legislative days. He said Expressway Personnel did not provide references with its bid.

The assistant director reviewed the *Invitation to Bid - Legislative Assembly Secretarial, Telephone Message, and Bill and Journal Room Services*. He said three firms submitted bids to provide combined services based on 18 employees for 75 legislative days at these daily bids--\$1,417.50 by Expressway Personnel, \$1,532.76 by Spherion, and \$1,543.04 by Adecco. He said Expressway Personnel did not submit any references with its bid.

Representative Timm said Expressway Personnel is low in each bid but so is its pay range for personnel. The assistant director said for comparison of hourly compensation rates, in 2001 a legislative assistant (assistant sergeants-at-arms and pages) of the Legislative Assembly was at a base pay of \$65 per day.

Senator Christmann said he is concerned that Expressway Personnel did not submit references with any of its bids.

It was moved by Senator Bowman, seconded by Representative Bernstein, and carried on a roll call vote that the committee not accept Expressway Personnel bids due to failure to meet bid specifications. Senators Stenehjem, Bowman, Christmann, Heitkamp, and Krauter and Representatives Belter, Bernstein, Guleson, Monson, and Timm voted "aye." No negative votes were cast.

Senator Krauter said the secretarial and telephone message centers were combined for the 2001 legislative session and this appeared to work well with respect to transferring employees to areas as needed. He said secretarial and telephone message services and bill and journal room services should also be combined for the 2003 legislative session to provide for the most efficient workload management possible. He said based on the recent experiences with Spherion providing services to the Legislative Assembly, he supports the combined bid by Spherion.

It was moved by Senator Krauter, seconded by Representative Timm, and carried on a roll call vote that the committee recommend the lowest combined bid by Spherion be accepted to provide secretarial, telephone message, and bill and journal room services. Senators Stenehjem, Bowman, Christmann, Heitkamp, and Krauter and Representatives Belter, Bernstein, Guleson, Monson, and Timm voted "aye." No negative votes were cast.

Secretarial Services Policy

At the request of Chairman Stenehjem, the assistant director reviewed the *Policy Regarding Secretarial Services to Legislators*. The assistant director said the policy was recommended by the Legislative Management Committee and approved by the Legislative Council in November 2000. He said the policy is distributed to legislators and emphasizes that

secretarial services are provided by a third-party contractor and not Legislative Assembly employees.

It was moved by Senator Krauter, seconded by Representative Bernstein, and carried on a voice vote that the committee recommend continuation of the policy regarding secretarial services to legislators.

USE OF PERSONAL COMPUTERS BY LEGISLATORS E-Mail File Quotas

The assistant director said the Information Technology Department has established an e-mail file quota of 50 megabytes for state officials and employees. He said this quota has affected some legislators whose mail file substantially exceeds 50 megabytes. He said the quota applies to e-mail with respect to inbox, drafts, e-mail sent, attachments, and graphics, and also includes the legislator's calendar of meetings, appointments, events, anniversaries, and reminders as well as to do lists. For illustrative purposes, he displayed a sheet of paper with approximately two paragraphs of text covering 50 percent of the page. The displayed document was 4,397 bytes. He said it would require more than 11,370 of these documents to reach the 50-megabyte limit (50 million bytes). He said attachments and graphics substantially consume storage space. Of the members of the committee, he said, the e-mail files ranged from 9 to 52 megabytes as of October 4. He said on October 4, 21 legislators exceeded the 50-megabyte quota. He said one legislator has two e-mails with attachments that approximate 50 megabytes. He said this issue was brought to the committee because of the requests of a legislator that the quotas be lifted or removed. He referred to *Policy on Use of Personal Computers by Legislators* adopted by the Legislative Management Committee in June 1997 and which authorizes a personal use option for legislators upon payment of a computer usage fee of \$10 per month. He said one legislator who exceeds the e-mail file quota has referred to this policy as allowing unlimited e-mail files.

Chairman Stenehjem recognized Mr. Curtis L. Wolfe, Chief Information Officer, Information Technology Department, for a presentation concerning e-mail file quotas applicable to state officers and employees, including legislators. Mr. Wolfe said the Information Technology Department established e-mail quotas as of May 1, 2002. He said quotas address a number of concerns, including security, system performance, manageability, system integrity, disaster recovery, and cost. He said these issues are "best practices" for mission critical e-mail systems. He said each e-mail account is a data base and as it grows, performance suffers, e.g., slower to open, read, write, and search. He said smaller files significantly reduce downtime during migrations and upgrades. Without size restrictions, he said, an

e-mail sent with the best of intentions could cripple the entire system. He said people often do not check the size of attachments before they send them and they tend to forget how quickly disk space is consumed when they route messages using distribution lists. He said small e-mail files that contain current, critical information are much quicker to restore in the event of a disaster than large files that contain years of e-mail history. He said restricting the size of an e-mail account prevents hackers from flooding the system's disk with a "mail-bomb."

Mr. Wolfe said the quotas provide for a staged warning system--at 40 megabytes a user receives a message the first time the mail file is opened each day that quota capacity is about to be reached and at 50 megabytes a user receives a message the first time the mail file is opened each day that the quota has been exceeded. He said a user with over 50 megabytes cannot send mail, reply to mail, or forward mail and a user over 150 megabytes will not receive mail. He said an additional 50 megabytes is available at a cost of \$3 per month. He said this allows a maximum quota of 100 megabytes, not an additional 50 megabytes for every \$3. He said the first warning would be received at 90 megabytes, at 100 megabytes a user could not send, reply to, or forward mail, and at 150 megabytes a user would not receive mail.

In response to a question from Senator Stenehjem, Mr. Wolfe said every e-mail sent to a legislator counts toward the file quota.

Representative Timm inquired how to handle unsolicited e-mails that appear daily. Mr. Wolfe said the Information Technology Department is reviewing methods of filtering unsolicited e-mail, but no filtering system will stop all such "junk" mail.

Senator Christmann said the point of a file quota is e-mail management.

In response to a question from Senator Krauter, Mr. Wolfe said a legislator could archive e-mail in a folder on the legislator's computer.

Representative Monson inquired whether the 50-megabyte file quota would be sufficient for legislators who receive substantial numbers of e-mail during the legislative session. Mr. Wolfe said during the legislative session the Information Technology Department could provide unlimited quotas for legislators, then reduce it to the 50-megabyte quota after adjournment of the session.

Representative Belter said the policy of allowing personal use of computers upon payment of a \$10 per month fee was instituted to encourage legislators to use their computers but not to the point of extensive personal or business use. He said 50 megabytes should be adequate for legislative purposes, especially during the interim.

Senator Krauter agreed that 50 megabytes is a manageable quota.

Senator Heitkamp agreed that 50 megabytes is adequate but expressed concern that as personal

computers are used more extensively, the reliance on computers to communicate increases.

It was moved by Representative Monson, seconded by Senator Heitkamp, and carried on a roll call vote that the committee maintain the \$10 per month personal usage fee for legislators who select the personal use option, that the 50-megabyte e-mail file quota applicable to state officers and employees be applicable to legislators, and that the Legislative Council staff seek arrangements with the Information Technology Department for additional megabytes or an unlimited quota for the period beginning December before a legislative session and ending May 31 after the legislative session has adjourned. Senators Stenehjem, Bowman, Christmann, Heitkamp, and Krauter and Representatives Belter, Bernstein, Gulletson, Monson, and Timm voted "aye." No negative votes were cast.

BUSINESS CONTINUITY AND DISASTER RECOVERY PLAN

At the request of Chairman Stenehjem, the director described a communication from the Governor directing agencies to prepare disaster recovery plans. He said it is difficult for staff to prepare a plan that applies to the Legislative Assembly and in isolation from other agencies. He said it makes little sense for a plan of the legislative branch to provide for meeting outside Bismarck in an area different from where essential executive branch agencies would be. He said Mr. Bill Goetz, Chief of Staff, Governor's office, was invited to appear before the committee and explain how the disaster recovery plans of the different branches of government could be coordinated.

Chairman Stenehjem recognized Mr. Goetz. Mr. Goetz distributed a copy of the communication from Governor Hoeven to all state agency heads, directing development of business continuity and disaster recovery plans to recover from a disaster that would impact agencies' abilities to function. He also distributed a handout entitled *Process to Assist North Dakota State Entities in Developing a Continuum of Government (COG) Plan*. A copy of each document is on file in the Legislative Council office.

The director inquired how the process will dovetail the planning efforts of the legislative branch, the Governor, and the Office of Management and Budget. Mr. Goetz said the Governor is looking at each agency to develop its own plan.

In response to a question from Representative Belter, Mr. Goetz said the Governor's office is developing plans based on several different scenarios, e.g., inability to use part or all of the Capitol or to meet in Bismarck. Representative Belter said before the Legislative Council can develop a plan for the Legislative Assembly, the Legislative Council needs to know where the executive branch will be under these

scenarios. He questioned whether one option could be statutorily authorizing the Budget Section to make decisions for the Legislative Assembly on an emergency basis.

Senator Heitkamp suggested this is a responsibility of the Homeland Security Coordinator and Emergency Management. He said any plan that does not involve all three branches is not adequate. He said the more disaster planning is discussed in the public the more ineffective it may be. Mr. Goetz said open discussion provides agencies with knowledge as to emergency plans and provides a sense of security for the general public.

The director said the Governor has established timetables for development of disaster recovery plans. He said if committee members are comfortable with the Legislative Council staff working to develop disaster recovery plans for the Legislative Council and the Legislative Assembly, that can be done.

Chairman Stenehjem said without objection the consensus is for the Legislative Council staff to develop a disaster recovery plan in coordination with appropriate state agencies on behalf of the Legislative Council and the Legislative Assembly.

LEGISLATIVE SESSION ARRANGEMENTS Television Coverage

Chairman Stenehjem recognized Ms. Mary Van Sickle, Executive Director, Community Access Television, Bismarck. Ms. Van Sickle referred to a letter distributed to Senator Stenehjem and committee members. A copy of the letter is on file in the Legislative Council office. In her letter, Ms. Van Sickle refers to television coverage of the Legislative Assembly since 1989 and requested permission to again cover floor sessions of the Legislative Assembly during the 2003 legislative session. She also refers to the cooperative project between the Information Technology Department, the Interactive Video Network, and Community Access Television for streaming live over the Internet the daily sessions of the Senate and the House. The letter urges consideration of installation of small cameras operated remotely by a single control room operator for broadcasting the floor sessions as well as other functions in the legislative wing.

In response to a question from Senator Bowman, Ms. Van Sickle said the expenses of broadcasting the floor sessions are covered by Midcontinent Communications, the local cable provider.

It was moved by Representative Belter, seconded by Senator Krauter, and carried on a voice vote that the committee authorize Community Access Television to provide coverage of the 58th Legislative Assembly as provided during the 2001 legislative session with coverage of each house to alternate between the House and the Senate on a weekly basis, and that Community

Access provide the video signal for web streaming through technology provided by the Information Technology Department and the Interactive Video Network, at the expense of those parties and with specific arrangements approved by the director of the Legislative Council.

Organizational Session Agenda

The assistant director reviewed the proposed agenda for the legislative organizational session. He said the agenda was based on the 2000 organizational session agenda, with modifications based on scheduling and events that occurred during the 2000 organizational session. He said two proposals are provided to the committee for consideration--a 9:00 a.m. agenda and a 1:00 p.m. agenda. He said a veteran legislator suggested at the last Legislative Council meeting that the organizational session start at 1:00 p.m. on Monday rather than 9:00 a.m. to allow legislators to travel to Bismarck on Monday morning rather than on Sunday. He said the 1:00 p.m. agenda basically transposes the afternoon activities into the morning and the morning activities into the afternoon. Thus, he said, even though the Legislative Assembly would convene at 1:00 p.m., freshmen legislators would start orientation classes at 9:00 a.m. and veteran legislators could attend computer training sessions at 9:00 a.m. He said the third day of each agenda provides for each house to convene at 8:30 a.m. rather than 9:00 a.m. so the Governor's budget message can be presented at 10:00 a.m. and the Legislative Assembly can adjourn at 10:40 a.m. He said the Budget Section will be scheduled to convene at 11:00 a.m. and complete its work by 5:00 p.m. on Wednesday.

In response to a question from Representative Bernstein, the director said unless the committee decides a different policy should be followed, legislators would continue to be reimbursed for the traditional one-day travel to the organizational session, the three days of the organizational session, and the one-day travel from the organizational session.

It was moved by Representative Timm, seconded by Senator Heitkamp, and carried on a roll call vote that the legislative organizational session agenda providing for a 1:00 p.m. convening of the Senate and House be approved. Senators Stenehjem, Bowman, Christmann, Heitkamp, and Krauter and Representatives Belter, Bernstein, Guleson, Monson, and Timm voted "aye." No negative votes were cast.

Commissioner of Commerce and Labor Commissioner Reports

The assistant director referred to North Dakota Century Code (NDCC) Section 54-60-03, which requires the Commissioner of Commerce to report between the first and 10th legislative days to a standing committee of each house of the Legislative

Assembly as determined by the Legislative Council with respect to the department's goals, objectives, activities, measurable results, and commerce benchmarks. The assistant director also referred to 2001 Session Laws, Chapter 145, Section 15, which requires the Labor Commissioner to report between the first and 10th legislative days of the 58th Legislative Assembly to a standing committee of each house of the Legislative Assembly with respect to information and statistics regarding the nature, number, status, and disposition of complaints received by the Labor Department under the Human Rights Act and the Housing Discrimination Act. He said the committee set the day agricultural commodity promotion groups are to report to the standing Agriculture Committees as the second day those committees meet.

It was moved by Representative Belter, seconded by Representative Timm, and carried on a voice vote that the Commissioner of Commerce report to the Industry, Business and Labor Committees and the Labor Commissioner report to the Judiciary Committees on the second day those committees meet, which will be Monday, January 13, 2003.

Session Employment Coordinators

The assistant director explained that personnel traditionally have been hired to coordinate the receipt of applications for legislative employment. In 2000, he said, each political party had one person to screen prospective employees to determine whether they had the appropriate skills. Unless otherwise directed by the committee, he said, one employment coordinator would be employed from each party, rather than each house. He said the employment coordinators usually have been the secretaries to the leaders.

It was moved by Representative Timm, seconded by Senator Christmann, and carried on a voice vote that the Legislative Council staff, in consultation with the legislative leaders, be authorized to hire one person to represent each political party to screen employees before the convening of the Legislative Assembly and to report to the Employment Committees, and that the two persons hired be paid from Legislative Assembly funds.

Legislator Stationery

The assistant director reviewed the policy regarding stationery provided to legislators. He said each legislator receives 500 sheets of regular (8½ inches x 11 inches) stationery and 500 envelopes and the speaker, leaders, and assistant leaders also receive 500 sheets of Monarch (7½ inches x 10½ inches) stationery and 500 Monarch envelopes. He said the leaders receive as much regular stationery as they need and other legislators can

request an additional 500 sheets of stationery and 500 envelopes.

Representative Gulleason said e-mail has reduced the volume of letter correspondence by legislators. Representative Monson agreed. Representative Belter said stationery use varies from legislator to legislator.

Senator Heitkamp inquired whether the limit of 25 mail merges before requiring a leader's approval has reduced the need for additional stationery. Ms. Karen J. Mund, Legislative Administrator, said she worked closely with Spherion during the 2001 legislative session and the mail-merge limitation appeared to reduce the number of large mailings. She said the secretarial service did question whether permission should be granted for a total number rather than for 25 at a time. The consensus of committee members was that the request slip submitted to the leaders include a space for the total number of mail-merged documents for that particular approval.

In response to a question from Representative Belter, Ms. Mund said the request for proposal for providing legislators' stationery could request a price for 250 sheets as an alternative to 500 sheets. Representative Gulleason said legislators could be given a choice of whether to receive 250 sheets or 500 sheets as the initial order.

Chairman Stenehjem postponed further discussion of this issue until the November meeting of the committee so the Legislative Council staff could provide information on any cost-savings in providing 250 sheets rather than 500 sheets to legislators.

Letter Files

The assistant director reviewed the policy of providing letter files to legislators. He said letter files have been authorized for legislators after each election since 1984. He said letter files are provided to new legislators as well as holdover legislators who request them. He said a request form is placed in the information packet distributed to legislators at the organizational session. He said legislators who desire a letter file need to return that request form to the Legislative Council office. He said a legislator requested that a canvas-type letter file be provided instead of the leather-type file. He displayed a sample of a canvas letter file similar to the personal computer carrying cases used by legislators.

It was moved by Senator Krauter, seconded by Representative Monson, and carried on a roll call vote that the Legislative Council staff continue the policy of providing letter files to new and hold-over legislators after each election with each legislator to request the letter file, and that the letter files provided for the 2003 legislative session consist of a canvas-type material. Senators Stenehjem, Bowman, Christmann, Heitkamp, and Krauter and Representatives Belter, Bernstein,

Gulleason, Monson, and Timm voted "aye." No negative votes were cast.

Journal Distribution Policy

The assistant director reviewed recent journal distribution policies. Under the policy in effect until 1985, he said, legislators were provided with a form to identify up to 15 individuals who could receive daily journals at no cost. Under the policy established from 1985 through 1993, he said, during the organizational session the desk forces announced to legislators that legislators could have daily journals sent, without charge, to as many as 15 persons. Under the policy established from 1995 through 2001, he said, the desk forces announced to legislators that a legislator could have daily journals sent, without charge, to as many as three persons and that any additional sets would have to receive the approval of the legislator's leader. In 1999 and 2001, he said, each legislator who wanted this service was requested to ask the person to whom the journals were to be sent whether that person had Internet access because the journals were available on the legislative branch web page.

It was moved by Representative Belter and seconded by Senator Heitkamp that the journal distribution policy for the 58th Legislative Assembly be that a legislator may have daily journals sent, without charge, to any person upon approval of the legislator's leader, and that a legislator be requested to ask the person to whom the journals are sent whether that person has Internet access. Senator Heitkamp said this is a step toward eliminating free distribution of journals, which could be taken before the 2005 legislative session. He said journals are available on the Internet without charge. After this discussion, **the motion carried on a roll call vote.** Senators Bowman, Christmann, Heitkamp, and Krauter and Representatives Belter, Bernstein, Gulleason, Monson, and Timm voted "aye." Senator Stenehjem voted "nay."

Legislators' Expense Reimbursement Policy

The assistant director reviewed the policy on items reimbursable as lodging expenses of legislators for the 57th Legislative Assembly. Reimbursable expenses were utilities--electricity and heat, water (including garbage collection and sewer charges), basic telephone service, and telephone installation charges; and furniture--rental of furniture and appliances and transit charges for moving rental furniture and appliances. He said legislators must voucher the expenses and the total reimbursable expense for lodging is limited by NDCC Section 54-03-20 to \$650 per calendar month.

It was moved by Representative Timm, seconded by Senator Christmann, and carried on a roll call vote that the legislative expense reimbursement policy for the 58th Legislative

Assembly be the same as that followed for the 57th Legislative Assembly. Senators Stenehjem, Bowman, Christmann, Heitkamp, and Krauter and Representatives Belter, Bernstein, Gulleison, Monson, and Timm voted "aye." No negative votes were cast.

Attendance at Legislative Council Meeting

The assistant director said the Legislative Management Committee in 1998 requested the Legislative Council to reimburse newly elected legislators for travel expenses to attend the Legislative Council meeting in November. He said this has been done since 1998 as a means of introducing new legislators to issues they would be facing during the regular session. He said this also allows the opportunity for legislators to caucus and establish their organizational structure.

It was moved by Representative Timm, seconded by Representative Bernstein, and carried on a roll call vote that the committee recommend that newly elected legislators be reimbursed for travel expenses for attending the Legislative Council meeting in November. Senators Stenehjem, Bowman, Christmann, Heitkamp, and Krauter and Representatives Belter, Bernstein, Gulleison, Monson, and Timm voted "aye." No negative votes were cast.

Incoming WATS Line Service

The assistant director said six incoming WATS lines are provided for persons within the state to call toll free to the legislative telephone message center and either receive information on legislative activity or leave messages for legislators. He said callers do not receive any "busy" signal. He said if a line is busy during regular business hours, the caller is given two options--one for staying on the line and one for leaving a message for legislators from the caller's district. This message feature is available 24 hours a day, seven days a week. During the 2001 legislative session, he said, 950 evening voice mail messages and 425 day voice mail messages were left for legislators. He said the message service was also enhanced in 2001 to include interactive voice response applications. He said one type of application provides bill status and committee hearing information after the caller keys the bill number. He said another application is separation of the caller's information so it is easier for the caller to leave all the required information, e.g., rather than a single statement requesting the caller to provide name, address, telephone number, e-mail address, and message, a separate statement asks for each item individually, with time to respond before the next request.

It was moved by Senator Krauter, seconded by Representative Belter, and carried on a roll call vote that the incoming WATS line service be continued for the 58th Legislative Assembly on the basis it was provided for the 57th Legislative

Assembly. Senators Stenehjem, Bowman, Christmann, Heitkamp, and Krauter and Representatives Belter, Bernstein, Gulleison, Monson, and Timm voted "aye." No negative votes were cast.

LEGISLATIVE ETHICS RESPONSIBILITY

The assistant director distributed copies of Joint Rules 1001 through 1004, which are the code of legislative ethics. He said the committee is the designated Legislative Ethics Committee as provided under NDCC Section 54-35-02.8. He said this item is on the agenda to give committee members the opportunity to suggest any changes to the joint rules.

PREFILING OF APPROPRIATION BILLS

Chairman Stenehjem recognized Ms. Sheila Peterson, Director of Fiscal Management, Office of Management and Budget. Ms. Peterson requested an extension of the filing deadline for bills implementing the executive budget. She said the Office of Management and Budget is unable to meet the deadline during the first week of December and requests an extension for prefiling appropriation bills up to December 12, 2002.

Senator Stenehjem pointed out that NDCC Section 54-44.1-07 requires the director of the budget to present budget data information listed in Section 54-44.1-06 to the Legislative Assembly at the organizational session. He said Section 54-44.1-06(7) provides that budget data includes drafts of appropriations acts embodying the budget and recommendations of the Governor for the next biennium. He said the committee is being asked to waive a statutory requirement. He suggested that if the Office of Management and Budget cannot meet the statutory requirements, the department propose a bill during the 2003 legislative session for changing the requirement to reflect the capabilities of the department.

It was moved by Senator Christmann, seconded by Senator Bowman, and carried on a voice vote that the Legislative Council staff be requested to accept for prefiling until December 12, 2002, appropriation bills filed by the Office of Management and Budget but not bills that make substantive changes.

No further business appearing, Chairman Stenehjem adjourned the meeting at 3:50 p.m.

Jay E. Buringrud
Assistant Director

John D. Olsrud
Director