



# Legislative Council Connection

Issue 2 | June 2020

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## Director's Corner

John Bjornson

Greetings from the lonely Capitol! When I wrote my first message to you in March I had no idea how much our lives and our workplace would change so quickly. On March 13, the Governor declared a state of emergency, and on March 20, he closed the Capitol to the public. The Legislative Council office closed on March 23, and almost the entire staff transitioned to working from home. Our information technology staff had us fully prepared to operate from home immediately which made the transition much easier than we could have anticipated.

Four of us continued to work from the office, but we are transitioning staff back to the office, with the goal of having most staff back by June 15. We are fortunate in that we have enough office space to allow everyone to be safely separated and we are taking appropriate precautionary

measures consistent with CDC guidelines to ensure the safety of employees and visitors to the office.

Although most council employees were working from home, they were keeping busy--probably busier than usual. We created a Coronavirus (COVID-19) page on our website on which we included numerous research memorandum addressing legal issues related to the emergency powers of the governor and the Legislative Assembly and executive orders issued by the Governor, and fiscal issues related to the federal response to the pandemic. Although it generally has not been the practice of the council staff to prepare research documents and publish and distribute the documents widely unless the documents were created for an interim committee, we received permission from leadership to begin this initiative as an effort to keep all legislators informed.

In researching and preparing the documents related to COVID-19, we

have been cautious to provide an objective analysis of the issues. While remaining nonpartisan, we believe we have an obligation to provide legislators information necessary to help you understand the issues and to protect the interests of the legislative branch.

Most interim committee meetings since March have been conducted telephonically. Several interim committee meetings are scheduled in June, and these meetings also will be held remotely. Meetings in June and July likely will incorporate the use of video technology through Microsoft Teams or Zoom. Although we certainly hope it will not be necessary to continue to hold remote committee meetings much longer, or to hold a remote session, we are preparing for various possibilities and improving our technological capabilities to better serve you and the citizens of the state.

We feel the transition to working remotely went rather smoothly, but I realize there were occasional phone and state network issues. Thank you for your patience while we dealt with those issues. I am proud of our staff for their commitment to carrying on the business of the legislative branch during this strange time.

We hope you are well and look forward to seeing you soon.

## KEY DATES

### June

9 - Primary Election

### July

4 - Independence Day (state holiday)  
(Offices closed Friday, July 3rd)

### September

7 - Labor Day

### November

3 - General Election  
11 - Veterans' Day (state holiday)  
12-13 - Legislative Management Mtg.  
26 - Thanksgiving (state holiday)

### December

1-3 - Organizational Session

For information and links to resources and responses to COVID-19, including policies, responses, and executive orders, please visit <https://www.legis.nd.gov/covid-19-information>.

# Administrative Services Division

Jason J. Steckler

Administrative Services Division Director

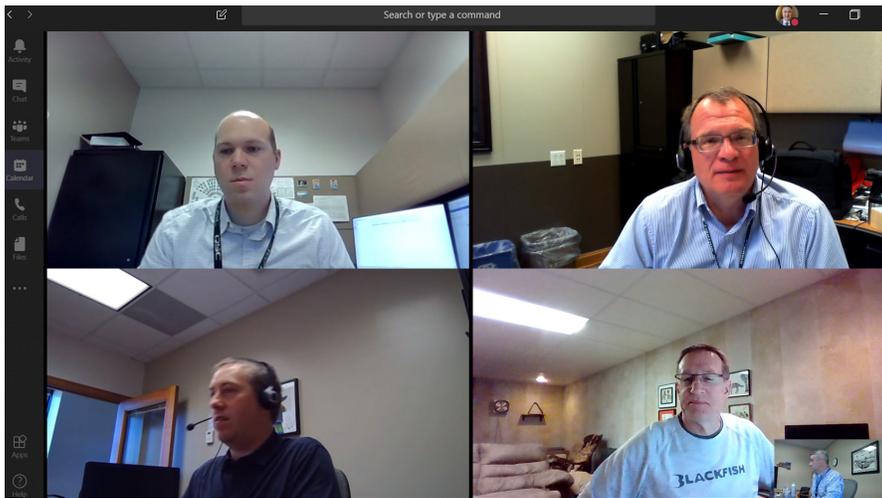
While challenging, the ability for the office staff to come together, provide resources, and solve problems during this unusual period has been very rewarding. To see the staff's ability to remotely solve problems while providing legislative resources is outstanding. Below are some of the accomplishments.

## Information Technology Services:

In preparation for council staff working from home, the information technology (IT) staff set up multi-factor authentication (MFA) for staff and prepared equipment for use at home. The IT staff installed a soft phone client software to allow staff to continue to use their 328-xxxx desk phone line via their computer while at home. The IT staff provided technical assistance regarding computer setup, home network connection, and VPN connection back to the state network while working from home.

The IT staff have a daily Microsoft Teams video call to discuss issues, support remote work environments, and address other IT projects and initiatives. Many staff communications are being conducted via Teams video calls rather than regular phone calls.

While working from home, the IT staff worked with legislators to set up MFA for their NDGOV accounts and moved their mobile device email from the default mail application to the Microsoft Outlook application. As part of the computer replacement cycle for council staff, new laptops were imaged and configured for all staff. The replacement equipment for legislators has been received, and IT staff will start distributing new equipment to legislators soon.



Pictures: Legislative Council information technology staff during a daily Microsoft Teams meeting.

Information technology staff consists of 5 staff that support 34 Legislative Council staff, 141 legislators, and approximately 84 temporary staff hired during a legislative session.



## Office Services:

The support staff has continued daily office functions without skipping a beat. As the support staff moved to the work-from-home model, we reviewed our work process and adapted. Documents continued to be submitted and finalized consistent with the usual quality assurance processes. Support staff moved to a paperless system of receiving daily work items electronically from other staff, ensuring every item was subject to the quality assurance processes--formatting, processing, proofreading, editing, reviewing, and distribution. Microsoft Teams was used for communication, screen sharing, and proofreading. In addition to the usual office work, support staff also ensured the main office telephone line was answered and calls transferred to the proper staff contact.

## Business Analyst:

When Legislative Council staff began working from home, there were issues with LEGEND, the bill drafting system. The business analyst (BA) assisted IT staff with determining the source of the issues and helped explain to council staff how to access and use the system to avoid the issues. The BA continues to test enhancements to the LEGEND system and help design a project to automate sponsor and bill number assignment.

The BA has been working to test updates to the software that publishes Century Code and Administrative Code to the public website. We also are converting our tracking system used for documenting software issues, enhancements, and overall progress, to new software. The BA has been reviewing conversion of the data and setup of the new software to ensure it meets the needs of the Legislative Council and the Legislative Assembly.

Stay safe and healthy.

# Legal Division

Vonette J. Richter  
Legal Division Director

With the assistance of Legislative Council's dedicated information technology staff, the legal division transitioned relatively seamlessly to working remotely at the end of March. Making the best of the situation, the legal staff has made every effort to continue to provide legal research and counsel to legislators and legislative committees while working remotely. Using available technology, the legal staff also has been working to complete bill drafts while continuing to staff interim committees and answering legislators' questions. The legal division has completed numerous legal memorandums analyzing executive, legislative, and judicial powers which can be accessed on the Legislative Council's COVID-19 page. During this time, the legal staff has been taking

advantage of many online subject matter and professional development webinars and video communication sessions on timely topics such as elections, continuity of government, health care, redistricting, and education.

The library staff has compiled multiple resources for the legislative COVID-19 information page, published a data visualization about North Dakota legislative leadership, finalized a legislative records retention schedule, and continued its regular research, reference, and archival work.

In addition to their regular work duties, the majority of members of the legal division also are juggling parenting and home schooling young children. At least once a day, members of the legal staff participate in virtual staff meetings to discuss our various workloads and projects, and to get updates on how everyone is coping in these trying times.

# Fiscal Division

Allen H. Knudson  
Legislative Budget Analyst and Auditor

While during a "normal" interim, the fiscal staff would be wrapping up its report on agency compliance with legislative intent and updating the status of a number of special funds, with effect of the COVID-19 pandemic, the staff has continued to work on these items, but has also been involved in a number of other areas relating to the state budget. A short summary of some of the areas of interest include:

- General fund status - Although state general fund revenues for April were \$40 million less than the legislative forecast, state revenues to date for the 2019-21 biennium are \$81 million more than the legislative forecast. The June 30, 2021, general fund balance, based on actual revenues reported through April 2020 and original legislative forecast amounts for the remainder of the biennium, is projected to be \$127 million. This does give the state somewhat of a "cushion" to absorb the possibility of future revenue shortfalls due to the COVID-19 pandemic and significantly lower than anticipated oil prices and production.
- Status of oil tax collections - The 2019 Legislative Assembly anticipated oil prices for the 2019-21 biennium to be \$48.50 per barrel for the 1<sup>st</sup> year and \$48.00 for the 2<sup>nd</sup> year of the biennium and oil production to be 1.40 million barrels per day for the 1<sup>st</sup> year and 1.44 million barrels per day for the 2<sup>nd</sup> year of the biennium. Although oil tax collections were exceeding legislative estimates by \$69.0 million or 3.8 percent through April 2020, since then, oil prices have fallen significantly

and were negative on April 20. They have rebounded to approximately \$36.50 per barrel on June 5. Oil production has also been declining rapidly and based on information provided to the Budget Section in May 2020, could decline to between 900,000 and 1 million barrels per day. For the month of May 2020, oil tax collections were \$108.7 million or 53 percent less than the legislative forecast.

- Federal Coronavirus Relief Fund/Emergency Commission/Budget Section - The fiscal staff has been assisting legislative members of the Emergency Commission and members of the Budget

the amounts approved to date is available on the legislative branch website.

- It is anticipated the next group of agency requests to spend additional funds available under the CARES Act will be considered at the Emergency Commission meeting on Thursday, June 18, and at the Budget Section meeting on Thursday, June 25.

As mentioned at the beginning, even though the staff is working on a number of COVID-19 related projects, we are progressing on completion of the report on agency compliance with legislative intent.



Section review and evaluate agency requests seeking approval to spend the additional federal funds made available to the state primarily from the federal CARES Act to address costs associated with the COVID-19 pandemic. Through this Act, the federal government is making available over \$1.25 billion to the state. The Emergency Commission and Budget Section, at their May 2020 meetings, approved the receipt and expenditure of over \$500 million of these funds. A memorandum with additional information on the estimated amounts available and

The final report will be presented to the Budget Section at its meeting on June 25. Following the presentation, highlights of the report will be emailed periodically to all legislators in July and early August. Since the future of state revenues is still unknown and the Office of Management and Budget is expected to prepare an updated revenue forecast in the next couple of months, we are delaying completion of the updates on major special funds until the revised revenue forecast is released; however, if anyone needs information on a specific fund, please let us know and we can prepare it for you.